



VILLAGE OF BISCAYNE PARK
640 NE 114TH STREET
BISCAYNE PARK, FL 33161
TEL: 305 899 8000 FAX: 305 891 7241
www.biscayneparkfl.gov

AGENDA
REGULAR COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Tuesday, December 7, 2010 at 7:00PM



Indicates documents are attached to this agenda.

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

1 Call to Order

2 Roll Call

3 Pledge of Allegiance

4 Presentations

- 4.a Introduction of Miguel Parages, Jr., Biscayne Park Code Enforcement Officer

- 4.b Presentation by Manager Ana Garcia and Chief Mitch Glansberg: Village of Biscayne Park on Patrol (VBPOP) and recognition of Public Works Director Bernard Pratt and Police Officers Raimundo Atesiano and Lawrence Churchman.

- 4.c Presentation by Chief Mitch Glansberg and Captain Antonio Sanchez: Significant burglary arrest in November

- 4.d Village Clerk Maria Camara: Presentation of updates to Village website.

5 Additions, Deletions or Withdrawals to Agenda

6 Public Comments Related to Agenda Items / Good & Welfare

7 Consent Agenda



7.a Approval of Minutes

- > September 14, 2010 Regular Commission Meeting
- > September 21, 2010 2nd Public Hearing FY 2010-11 Budget

- > October 5, 2010 Regular Commission Meeting
- > October 22, 2010 Special Commission Meeting
- > November 4, 2010 Regular Commission Meeting



7.b Resolution 2010-26

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ESTABLISHING THE COST FOR ADDITIONAL/UNSCHEDULED TRASH REMOVAL; PROVIDING FOR AN EFFECTIVE DATE**



7.c Resolution 2010-31

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT FOR MONTHLY MEDIAN MAINTENANCE SERVICES WITH TIP TOP ENTERPRISES, INC.; PROVIDING FOR AN EFFECTIVE DATE**



7.d Resolution 2010-33

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **EXPRESSING SUPPORT FOR THE CITIES OF CUTLER BAY, DORAL AND MIAMI GARDENS, AND URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE THESE THREE CITIES WITH THEIR RIGHTFUL SHARE OF THE PEOPLE'S TRANSPORTATION PLAN SURTAX FUNDING FROM THE COUNTY'S 80% SHARE OF THE SURTAX, AS ORIGINALLY NEGOTIATED IN GOOD FAITH, AGREED TO, AND MEMORIALIZED IN MIAMI-DADE COUNTY ORDINANCE NO. 02-116.** *(Sponsored by Mayor Roxanna Ross)*

7.e Resolution 2010-34



A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE MUNICIPAL CODE OF THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE**

8 Public Hearings



- 8.a** Property owners Kim & Leonard Esquivel of 850 NE 118th Street request a variance from the Code provisions:

11.7.3 Only one (1) utility shed shall be permitted per building site and shall not exceed one hundred (100) square feet in area and shall not have a height greater than nine (9) feet, and no utility service shall be connected thereto.

To allow a shed measuring 12' x 16' (192 sq. ft.).

9 Ordinances - FIRST READING



9.a Ordinance 2010-14

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE VI ENTITLED "FINANCE" BY ADDING SECTIONS 2-76 "DEFINITIONS" AND 2-77 "**AUTHORITY TO MAKE INTRADEPARTMENTAL BUDGET AMENDMENTS BY VILLAGE MANAGER**" TO ESTABLISH PROCEDURES BY WHICH THE VILLAGE MANAGER MAY AUTHORIZE AMENDMENTS WITHIN DEPARTMENT BUDGETS WITHOUT VILLAGE COMMISSION APPROVAL; AMENDING CHAPTER 2, ARTICLE VIII TO HAVE REFERENCES TO THE DIRECTOR OF FINANCE REPLACED WITH VILLAGE MANAGER THROUGHOUT ARTICLE VIII AND AMENDING CHAPTER 2, ARTICLE VIII REFERENCING BUDGET APPROPRIATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

9.b Ordinance 2010-16



AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, PURSUANT TO SECTION 166.041, FLORIDA STATUTES, **TO AMEND ORDINANCE 2009-6 ADOPTED ON SEPTEMBER 22, 2009 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2009-2010, BY AMENDING VARIOUS PARTS OF THE BUDGET** CONSISTENT WITH EXHIBIT "A", ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Ordinances - SECOND READING



9.c Ordinance 2010-13

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA**; APPROVING THE SCHEDULE FOR SOLID WASTE COLLECTION AGAINST ASSESSED PROPERTY LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

10 Resolutions

< None >

11 Old Business



11.a Selection of board member replacements:

> Vice Mayor Cooper: Parks & Parkway Advisory Board *(Moved from the October 5, 2010 meeting by Vice Mayor Cooper)*.

> Commissioner Anderson: Recreation Advisory Board



11.b Mayor Ross: Draft legislation: Code changes for fences and walls, corner lots, and hedges.

12 New Business



12.a Mayor Ross: The Miami Dade League of Cities requests for a Village designee to serve as director and one alternate to serve for the one year period commencing February 2011.

12.b Vice Mayor Cooper: "New police department procedures vs. continuing crime waves in the Village".

12.c Vice Mayor Cooper: "Future condensed short bullet list of agenda items to be sent on day 7, prior to Commission meeting, by Clerk to Commission".

12.d Vice Mayor Cooper: "Discussion of merit awards for public works staff"



12.e Commissioner Bernard: A discussion of a new shade tree at the Recreation Center.

13 Final Public Comment

14 Reports

14.a Committee Reports

- i > Parks & Parkway Advisory Board
- ii > Code Review Board
- iii > Recreation Advisory Board
- iv > Ecology Board

14.b Village Attorney

- > Update on Biscayne Park Foundation
- > Invoice due from Robert Soloff



14.c Village Manager



- > Monthly financial report - November 2010 *(Finance Director Michael Arciola)*
- > Tree City USA
- > Donation from the City of Medley

14.d Commissioner Comments

- > Vice Mayor Bryan Cooper
- > Commissioner Bob Anderson
- > Commissioner Steve Bernard
- > Commissioner Al Childress
- > Mayor Roxanna Ross

15 Announcements

All public meetings are held at the Ed Burke Recreation Center,
11400 NE 9th Court, Biscayne Park.

Wednesday, December 8th at 6:30PM - Recreation Advisory Board

Friday, December 10th at 11:30AM - Unveiling of Biscayne Park Way
signage with Florida Department of Transportation at the south end
location.

Saturday, December 11th at 10:30AM - Official unveiling of Biscayne
Park Way signage at the south end location.

Saturday, December 11th at 11:00AM - Unveiling of art sculpture
donation at Griffing Park, 115th Street and Sixth Avenue.

Saturday, December 11th at 11:30 - Volunteer Appreciation Get-to-
gether.

Tuesday, December 14th at 7:00PM - Code Review Board

Wednesday, December 15th at 6:00PM - Parks & Parkway Advisory
Board

Thursday, December 16th at 6:30PM - Ecology Board

Saturday December 18th starting at 10:00AM Winterfest which
includes the red-ribbon cutting ceremony for the newly renovated Ed
Burke Recreation Center and new signage.

Monday, December 20th at 6:30PM - Planning & Zoning Board

Tuesday, December 21st at 7:00PM - Code Enforcement Board

Friday, December 24th - All Village Departments will be closed for the Christmas Holiday.

Tuesday, December 28th at 7:00PM - Code Review Board

Friday, December 31st - All Village Departments will be closed for New Year holiday.

Our next regular Commission meeting is Tuesday, January 11th at 7:00PM.

Please visit our website regularly at biscayneparkfl.gov and click on the Calendar of Meetings & Events to view the full schedule.

15 Adjournment

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accomodation to participate in the proceedings should call Village Hall at (305) 899 8000 no later than four (4) days prior to the proceeding for assistance.

DECORUM - Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



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Village Manager

John J. Hearn
Village Attorney

Maria C. Camara
Village Clerk

November 30, 2010

To: Mayor Ross
Vice Mayor Cooper
Commissioner Anderson
Commissioner Bernard
Commissioner Childress
Manager Garcia

From: Maria Camara
Village Clerk

Re: Item 7.a under Consent Agenda, December 7, 2010

The following minutes follow and I've notated the changes made for those minutes that were presented at the last meeting:

- Tuesday, September 14, 2010 Regular Commission Meeting: Item 7.b on page 3 was updated.
- Tuesday, September 21, 2010 2nd Public Hearing FY 2010-11 Budget: Items 5a and 5b were corrected.
- Tuesday, October 5, 2010 Regular Commission Meeting
- Friday, October 22, 2010 Special Commission Meeting
- Thursday, November 4, 2010 Regular Commission Meeting

Immediately following this page are the changes requested by Commissioner Bernard as discussed at the last Commission meeting on November 4th.

Thank you.

village clerk

From: Steve Bernard [steve@stevebernardarchitect.com]
Sent: Thursday, December 02, 2010 7:24 AM
To: villageclerk@biscayneparkfl.gov; villagemanager@biscayneparkfl.gov; attyhearn@aol.com
Cc: vobparchives@biscayneparkfl.gov
Subject: Corrections to 9/14/10 & 9/21/10 Minutes

Maria,

Following are my notes on the 9/14/10 & 9/21/10 Minutes, per Commission consensus, please include in Agenda Package for Commission Review prior to the 12/7/10 Regular Commission Meeting.

9/14/10 Regular Commission Meeting (please note that the video for this meeting is not available due to technical difficulties, that the audio is not clear in some places, and that a Motion to provide more detailed minutes due to this lack of available backup failed 3-2, with Bernard & Cooper voting for the motion)

Item 7b, Expenditure of forfeiture funds on rental fees -

Commissioner Bernard commented that nowhere in the Agenda item was there any explanation that the item was to approve a one year continuation of a pre-manufactured trailer at the Log Cabin location. This trailer was placed there over one year ago as temporary offices for the PW Staff during construction. The public was not made aware of what was being discussed prior to the Meeting, and the item was approved without public input. *If the Minutes do not describe this item, there will be no written record (and no video record) of the discussion and approval.*

Commissioner Bernard asked the Attorney to review the zoning code to determine if the prefabricated structure meets our Zoning Code, and stated that as an architect, he did not think that it did, as approving the trailer for one year makes it a permanent structure as per the Florida Building Code.

Commission Bernard noted that the BP Planning Board has not been asked to review for compliance.

Item 11.a Resolution 2010-24, Summary Minutes -

Commissioner Bernard noted that because the Clerk would now be authorized to include the TOPIC upon which a (resident) speaker is addressing, then it only makes sense to include the TOPIC upon which a Commissioner is addressing, without which there would be a lack of transparency for anyone not attending the Meeting.

Item 13.d Commissioner Comments -

The minutes currently state that Commissioner Bernard discussed "agenda items added at the last minute", which is incorrect. The topic was Agenda item BACKUP submitted at the Commission Meetings by Staff with no time for either Commissioners or Residents to review or comment on.

Three topics were identified in the minutes, but Commissioner Bernard discussed a total of 9 topics not included in the minutes:

4. Approval by Village Commission to fund a Manufactured Trailer that no resident knew about beforehand
5. Approval of incorrect and incomplete Minutes reduces transparency
6. Lack of consistency by Commission and Staff
7. Expediencies in decisions made by Commission
8. October Strategy session, and how the event could get Commission issues, differences and conflicts resolved
9. How a lack of transparency affects public perception of our government

9/21/10 2nd Budget Hearing (please note that the audio for this meeting is very poor, and is difficult to understand, and no video was made)

Item 5.a, Ordinance No. 2010-11 -

The minutes state: "Motion made by Commissioner Anderson to approve the ordinance at first reading" This is incorrect, the Motion was made to approve the ordinance at SECOND reading.

Item 5.b, Ordinance No. 2010-12 -

The minutes state: "Motion made by Commissioner Childress to approve the ordinance at first reading" This is incorrect, the Motion was made to approve the ordinance at SECOND reading.

The minutes state, "After discussions were completed, the motion was called to a vote", with not a single topic memorialized over the course of a 90 minute Public Hearing.

The topics discussed included:

1. Sanitation Administrative fee rationale, including future tracking of hours by Administrative Staff that was not approved by Commission
2. How the contingency line item has varied wildly over the course of the budget process, the basis for contingency
3. Financial Software to be changed to a system that is not in use by any other municipality, pros and cons of using such a system
4. How future budgets will be brought to the Commission, including Commission Childress's worksheet concept, and how more details need to be included
5. What the current unrestricted reserves are (possibly \$800,000, but not confirmed)
6. What the cash balances status is, and the state of accounts that are not reconciled
7. The fact that the Commission was only given Financial Quarterly Reports for the 1st Quarter in 2009-2010, making it difficult to track in detail current costs and revenues
8. How year to date comparisons could not be fully reviewed in detail due to lack of reconciliations and Quarterly Reports



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John J. Hearn
Village Attorney

Maria Camara
Village Clerk

MINUTES
REGULAR COMMISSION MEETING
Church of the Resurrection - 11173 Griffing Blvd
Biscayne Park, FL 33161
Tuesday, September 14, 2010 7:00PM

1 Call to Order

2 Roll Call

Mayor Roxanna Ross called the meeting to order at 7:19PM. In addition to Mayor Ross, present were:

Vice Mayor Bryan Cooper
Commissioner Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

Present from staff were:

Village Manager Ana Garcia
Village Clerk Maria Camara
Village Attorney Hearn
Finance Director Michael Arciola
Police Chief Mitchell Glansberg
Public Works Director Bernard Pratt
Parks & Recreation Director Issa Thornell

3 Pledge of Allegiance and Moment of Silence

4 Presentations

4.a Presentation to Father Alberto Cutie in recognition of being the newly appointed Pastor of the Church of the Resurrection. Presented to Charlotte Floyd in Father Cutie's absence.

4.b Presentation given by Charlotte Floyd on the Church of the Resurrection Festival scheduled for October 9th and 10th, 2010.

4.c Proclamation for Constitution Week, celebrating the 223rd anniversary of the Constitution of the United States. Presented to B.B. Gould, resident and member of the Daughters of the Revolution.

5 Additions, Deletions or Withdrawals to the Agenda

Manager Garcia requests that Resolution 2010-24 is added to the agenda under Old Business, 11.a.

Commissioner Bernard requests that item 12.b, selection of Parks & Parkway Advisor Board member, is moved to the October 5, 2010 meeting.

6 Public Comments Related to Agenda Items / Good Welfare

Barbara Kuhl - 1st Public Hearing FY 2010-11 Budget, comments from Commissioner Bernard and Vice Mayor Cooper on the maintenance of the field at Ed Burke Park.

7 Consent Agenda

Motion made by Commissioner Childress to approve the consent agenda.
Seconded by Commissioner Anderson.

Vice Mayor Cooper pulls items 7b, Expenditure of forfeiture funds on rental fees, and 7c, Expenditure of forfeiture funds for labor costs.

Commissioner Bernard pulls the minutes for July 13, 2010, and August 31, 2010, for discussion.

Balance of items left on the consent agenda:

7.a > July 27, 2010 Special Commission Meeting

> July 27, 2010 1st Budget Workshop FY 2010-11 Budget

> August 3, 2010 Regular Commission Meeting

> August 17, 2010 2nd Budget Workshop FY 2010-11 Budget

> September 9, 2010 1st Public Hearing FY 2010-11 Budget

7.d Expenditure of forfeiture funds for overtime on specific police cases.

7.e Expenditure of forfeiture funds for purchase of a defibrillator.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress, Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

Commissioner Bernard makes a motion to amend the minutes for July 13, 2010 to add the written statement he provided for the July 13, 2010 meeting in which he was absent. Seconded by Vice Mayor Cooper

The motion was called to a vote:

All in favor: Vice Mayor Cooper and Commissioner Bernard

All opposed: Mayor Ross, Commissioner Childress and Commissioner Anderson.

Motion dies: 2/3

Commissioner Anderson makes a motion to accept the minutes as submitted by the Clerk for July 13, 2010, with the addition of the subject for each speaker at Public Comments. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress and Commissioner Anderson

All opposed: Vice Mayor Cooper and Commissioner Bernard

Motion carries: 3/2

Commissioner Bernard makes a motion to correct the Manager's opening statement of the August 31, 2010 minutes to only reflect "additional compensation". After discussion, a new motion made by Commissioner Anderson to approve the minutes submitted by the Clerk for August 31, 2010, and changing the Manager's opening statement to state "she would be pulling any items that would have a fiscal impact on the Village due to the economic status". It was seconded by Vice Mayor Cooper.

The motion was called to a vote:

All in favor: Vice Mayor Cooper, Mayor Ross, Commissioner Childress, Commissioner Bernard and Commissioner Anderson.

Motion carries: 5/0

Item 7b, Expenditure of forfeiture funds on rental fees for 12 months for the mobile modular unit located next to Village Hall to support the newly established Village of Biscayne Park Police Department's Crime Prevention and Community Policing initiative, Village of Biscayne Park on Patrol (VOBPOP).

After discussion, motion made by Commissioner Anderson to approve the expenditure of forfeiture funds on the rental fees for 12 months. Seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress and Commissioner Anderson

All opposed: Vice Mayor Cooper and Commissioner Bernard

Motion carries: 3/2

Item 7c, Expenditure of forfeiture funds for labor costs:

After discussion, motion made by Commissioner Anderson to approve the expenditure of forfeiture funds for labor costs. Seconded by Commissioner Bernard.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Vice Mayor Cooper, Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

9 **Ordinances - First Reading**

< None >

Ordinances - Second Reading

< None >

10 **Resolutions**

11 **Old Business**

11.a **Resolution 2010-24**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **DIRECTING THE VILLAGE CLERK TO PREPARE SUMMARY MINUTES OF ALL VILLAGE COMMISSION MEETINGS;** AUTHORIZING THE MINUTES TO INCLUDE THE TOPIC UPON WHICH A SPEAKER IS ADDRESSING; LIMITING CHANGES TO THE MINUTES BASED ON FACTUAL ERRORS OF WHAT IS CONTAINED IN THE MINUTES; PROVIDING FOR AN EFFECTIVE DATE

Motion made by Commissioner Anderson to approve. It was seconded by Commissioner Childress.

After discussion, an amendment is requested by Commissioner Childress to amend the resolution to state, "factual errors which must be corrected". The amendment was accepted by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Vice Mayor Cooper, and Commissioner Anderson

All opposed: Commissioner Bernard

Motion carries: 4/1

12 **New Business**

12.a Commissioner Bernard: Discussion to create written certain specific policies and procedures. This item was moved to the next regular meeting on October 5, 2010, by Commissioner Bernard.

12.b Commissioner Bernard: Selection of Parks & Parkway Advisory Board. This item was moved to the next regular meeting on October 5, 2010, by Commissioner Bernard.

12.c Mayor Ross: Discussion on ordinances related to the budget on sanitation fees and appointment of a budget officer.

On the ordinance to set the sanitation fees, Attorney Hearn was directed to review if and when a similar ordinance had been done before, and to provide an ordinance for first reading at the next regular commission meeting on October 5, 2010.

On the proposed ordinance to appoint a budget officer, consensus was reached (by a show of hands, Mayor Ross, Commissioner Childress and Commissioner Anderson), directing Attorney Hearn to draft an ordinance for first reading at the next regular commission meeting on October 5, 2010.

13 Reports

13.a < No committee reports.>

Village Attorney: The executive session that took place prior to this meeting regarding the police union contracts was not finalized and will continue next week immediately following the 2nd Public Hearing on FY 2010-11 Budget on Tuesday, September 21, 2010.

Prior to the 2nd Public Hearing, there will be an in-the-shade meeting of the Commission to discuss litigation on a worker's compensation case. This meeting will begin at 6:00AM on Tuesday, September 21, 2010, and will be attended by the entire Commission, Manager Garcia, Attorney Hearn and the attorney from Miami Dade County. A court reporter will also be in attendance and full transcripts of this meeting will be made available to the public after settlement is reached.

Attorney Hearn will get an update from Mr. Soloff on his investigation and will advise if any additional charges will be charge with the addition of the information brought forward by Vice Mayor Cooper at the August 31, 2010, special commission meeting.

Consensus was reached by the entire Commission requesting that Attorney Hearn specify the person he speaks with and the general topic of discussion when he submits his hours for payment.

Village Manager Garcia: Requested that the Commission confirm the date of Saturday, October 23, 2010 as the date for the Strategic Planning session. Commission to provide confirmation by Friday, September 17, 2010.

The first Tuesday of November is the same day as the General Election. Manager Garcia asked for consensus to change to Thursday, November 4, 2010. All agreed.

Vice Mayor Cooper provided an answer to resident Barbara Kuhl's question during first public comments; length of the meeting agenda.

Commissioner Anderson commended the Mayor on her handling of the meetings.

Commissioner Bernard provided an answer to resident Barbara Kuhl's question during first public comments; agenda items added at the last minute; resident attendance at meetings is low; summary minutes.

Commissioner Childress commended the Commission and Staff on the budget that resulted in no increase to the millage and no layoffs.

Mayor Ross encourages residents to submit applications for the Biscayne Park Foundation; encourages Commissioners to meet and speak with Manager on a regular basis; balanced budget with no tax increase; information on agenda packets.

14 Final Public Comments

< None >

15 Announcements

Due to the on-going construction and renovations at the Ed Burke Recreation Center, meetings have been re-located.

Wed. September 15, 2010 - Parks & Parkway Advisory Board at 6:00PM at Village Hall

Mon. September 20, 2010 - Planning & Zoning at 6:30PM at Village Hall

Tue. September 21, 2010 - 2nd Public Hearing FY 2010-2011 Budget at 6:30PM at the Church of the Resurrection

Tue. September 21, 2010 - Code Enforcement at 7:00PM at the Church of the Resurrection

Wed. September 22, 2010 - Ecology Board at 7:00PM at Village Hall

Tue. September 28, 2010 - Code Review Board at 7:00PM at Village Hall

Tue. October 5, 2010 - Regular Commission Meeting at 7:00PM at the Church of the Resurrection

16 Adjournment.

Motion made by Commissioner Childress to adjourn and seconded by Commissioner Anderson.

The meeting was adjourned at 9:59PM

Commission approved on _____.

Attest:

Roxanna Ross, Mayor

Maria Camara, Village Clerk



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MINUTES

2nd Public Hearing - FY 2010-11 Budget
Church of the Resurrection - 11173 Griffing Blvd
Biscayne Park, FL 33161
Tuesday, September 21, 2010 at 6:30PM

1 Call to Order

2 Roll Call

Mayor Roxanna Ross called the meeting to order at 7:14PM. In addition to Mayor Ross, present were:

Vice Mayor Bryan Cooper
Commissioner Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

Present from staff were:

Village Manager Ana Garcia
Village Clerk Maria Camara
Finance Director Michael Arciola
Attorney John Hearn
Police Chief Mitchell Glansberg
Public Works Director Bernard Pratt
Parks & Recreation Director Issa Thornell

3 Pledge of Allegiance and Moment of Silence

- 4** Manager Garcia provided a review of the current fiscal year 2009-2010 status and of the upcoming fiscal year 2010-2011 budget. Manager recommends that the budget for fiscal year 2010-2011 be adopted as proposed.

Village Clerk Camara provided a review of the changes to the budget since the 1st Budget Hearing on September 9, 2010.

5 a Ordinance No. 2010-11

AN ORDINANCE OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ESTABLISHING THE 2010-2011 MILLAGE RATE AT 8.9933 MILS** FOR EACH \$1,000 OF ASSESSED VALUATION UPON REAL AND PERSONAL PROPERTY WITHIN THE VILLAGE LIMITS OF THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of the ordinance.

Mayor Ross opened public comment on the ordinance and there were none.

Motion made by Commissioner Anderson to approve the ordinance at second reading. It was seconded by Vice Mayor Cooper.

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress and Commissioner Anderson

All opposed: Commissioner Bernard

Motion carries: 4/1

5 b Ordinance No. 2010-12

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011** FOR THE VILLAGE OF BISCAYNE PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Attorney Piper read the title of the ordinance.

Mayor Ross opened public comment on the ordinance:

Debbie Feinberg, Executive Director of the North Miami Sr. Citizen Foundation.
Chester Morris - North Miami Sr. Citizen Foundation

Motion made by Commissioner Childress to approve the ordinance at second reading. It was seconded by Commissioner Anderson.

After discussions were completed, the motion was called to a vote:

All in favor: Commissioner Anderson, Commissioner Childress and Mayor Ross

All opposed: Commissioner Bernard and Vice Mayor Cooper

Motion carries: 3/2

6 Final Public Comments

< None >

7 Adjournment

Motion to adjourn made by Commissioner Anderson and seconded by Commissioner Childress.

The meeting was adjourned at 8:44PM

Commission approved on _____.

Attest:

Roxanna Ross, Mayor

Maria Camara, Village Clerk



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MINUTES
REGULAR COMMISSION MEETING
Church of the Resurrection - 11173 Griffing Blvd
Biscayne Park, FL 33161
Tuesday, October 5, 2010 7:00PM

1 Call to Order

2 Roll Call

Mayor Roxanna Ross called the meeting to order at 7:14PM. In addition to Mayor Ross, present were:

Vice Mayor Bryan Cooper
Commissioner Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

Present from staff were:

Village Manager Ana Garcia
Village Clerk Maria Camara
Village Attorney Hearn
Finance Director Michael Arciola
Police Chief Mitchell Glansberg
Public Works Director Bernard Pratt
Parks & Recreation Director Issa Thornell

3 Pledge of Allegiance and Moment of Silence

Mayor Ross congratulated Village Manager Garcia on her one year anniversary as Village Manager.

4 Additions, Deletions or Withdrawals to the Agenda

Commissioner Bernard moves item 11.c to the next regular meeting on November 4, 2010.

Commissioner Bernard requests that item 11.b, Village Manager Contract, be moved as it is not ready to be discussed since the investigation by the outside attorney has not been completed. Vice Mayor Cooper agrees.

Attorney Hearn provided an updated on the status of the attorney's investigation and advised that he will be ready to provide a report on October 18th.

Commissioner Childress stated he could wait 30 days.

Manager Garcia requests a special commission meeting to discuss after the report is received. After discussion, a special meeting is set for Friday, October 22, 2010 at 7:00PM at the Church.

Mayor Ross stated that when items 9.c and 9.d (second reading of ordinances 2010-4 and 2010-5) come up on the agenda, she will be asking for a motion to postpone indefinitely.

5 Presentations

Daphne Campbell, Representative elect to the Florida House in Tallahassee serving district 108 introduced herself and offered her support of the needs of the Village of Biscayne Park.

6 Public Comments Related to Agenda Items / Good Welfare

Barbara Watts - Former Village Manager severance payment, clarity on budget changes.

Fred Jonas - Village Manager contract.

Dan Keys - Manager rights to amend the budget.

Mayor Ross asked for applicants to the Biscayne Park Foundation board that were in attendance to come up and introduce themselves:

> Supreme Dorvil

> Stephen Taylor

7 Consent Agenda

Motion made by Commissioner Anderson to approve the consent agenda.
Seconded by Commissioner Childress.

Commissioner Bernard pulls the minutes from 9/14 and 9/21 for approval at the next regular commission meeting on November 4th.

Balance of items left on the consent agenda:

7.a - June 22, 2010 Minutes

7.b - Resolution 2010-27

7.c - Resolution 2010-28

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress,
Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

8 **Public Hearings**

< None >

9 **Ordinances - First Reading**

9.a **Ordinance 2010-13**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA**; APPROVING THE SCHEDULE FOR SOLID WASTE COLLECTION AGAINST ASSESSED PROPERTY LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of the ordinance and provided background.

Mayor Ross opened the meeting for public comment on the ordinance:

> Dan Keys

Question asked to verify that the sanitation fee of \$558 is per household or unit, as in the example of a duplex it would be two units. It was verified that the fee is per each assessed property.

Motion made by Commissioner Anderson to approve. It was seconded by Commissioner Childress.

After discussion, the motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, and Commissioner Anderson

All opposed: Commissioner Bernard and Vice Mayor Cooper

Motion carries: 3/2

Second reading of the ordinance will be scheduled for the December 7, 2010 meeting.

Ordinances - Second Reading

9.b **Ordinance 2010-3**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ADOPTING THE EVALUATION AND APPRAISAL REPORT BASED AMENDMENTS TO THE COMPREHENSIVE PLAN**; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of the ordinance.

Jerry Bell, from Bell David Planning, provided the background.

Mr. Bell commented that a resident in the audience had pointed out a typo on the revenue schedule and advised that would be corrected.

Commissioner Anderson asks for clarification on page 12, no. 6, policy 1.43. After discussion, the words "the park and" would be removed.

Commissioner Bernard asks for clarification on page 42, Revenue Schedule. Need to verify if the MTA Transit Stimulus for \$34,500 is for the ARRA grant. If yes, it needs to be removed.

Commissioner Bernard also asks for clarification/corrections on the maps. Mr. Bell advised that all the updated maps included in the report are what is in our maps now. The only change made was to update them in color.

Motion made by Commissioner Bernard to approve as amended. It was seconded by Commissioner Childress.

Vice Mayor Cooper asked for clarification on the use of the word "shall" and "will", specifically on page 5, no. 21, policy 5.1. Mr. Bell would try to change to "should" or "shall within reason".

Mr. Bell provided a brief review of the next steps in the process.

Maker of motion accepts the change brought up by Vice Mayor Cooper.

Mayor Ross opened the meeting for public comment on the ordinance:
> Dan Keys

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress,
Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

9.c **Ordinance 2010-4**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF BISCAYNE PARK BY ADOPTING A **CODE OF CONDUCT FOR ALL ELECTED OFFICIALS**, BOARD MEMBERS AND VILLAGE EMPLOYEES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of the ordinance.

Commissioner Anderson makes a motion to postpone indefinitely. It was seconded by Commissioner Childress.

Attorney Hearn explained that if the motion is approved, if this ordinance were to be brought back, it would have to start over at first reading.

Mayor Ross opened the meeting for public comment on the ordinance:

> Dan Keys

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress,
Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

9.d **Ordinance 2010-5**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING THE MUNICIPAL CODE OF THE VILLAGE BY **ADOPTING COMPREHENSIVE PROCEDURES GOVERNING COMMISSION MEETINGS**; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title of the ordinance.

Commissioner Anderson makes a motion to postpone indefinitely. It was seconded by Vice Mayor Cooper.

Mayor Ross opened the meeting for public comment on the ordinance:

> Dan Keys

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Childress,
Commissioner Bernard and Commissioner Anderson

Motion carries: 5/0

10 Resolutions

< None >

11 Old Business

11.a **Biscayne Park Foundation: Approval of updated by-laws and selection of board members.**

Attorney Hearn provided the background and a summary of the changes made.

Commissioner Bernard expressed concern that based on these by-laws, this board would act independently without approval or guidance from the Village Commission.

Vice Mayor Cooper expressed concern that these by-laws would allow the board to enter into contracts that would bind the Village.

Attorney Hearn clarified that the board is independent and that they cannot bind the Village. Also clarified that the board cannot do anything on Village property without Village approval.

Commissioner Childress agrees with creating an independent board, as was unanimously voted on earlier in the year and as was communicated to our Attorney to proceed with, and to keep the Commission out of the process.

Commissioner Anderson was worried about the by-laws being too broad, but was satisfied with the explanations provided by the attorney.

Manager Garcia suggested that with the Commission participating in the Strategic Planning session, the results from this session could be what drives the foundation.

Mayor Ross provided a history on the foundation and the process/results to date which has been minimal with Commissioners acting as the board members. Yet feels that some enhancements are needed to the by-laws.

Mayor Ross requests to add legal requirement that the board abides by Sunshine Law. Attorney Hearn recommends an attorney general opinion on this to confirm.

Mayor Ross opened the meeting for public comment on the foundation:

Stephen Taylor

Dan Keys

Barbara Kuhl

Fred Jonas

Barbara Watts

Commissioner Childress makes a motion to approve the by-laws with the amendments made by the attorney. It was seconded by Commissioner Anderson.

Vice Mayor Cooper requests that a development plan be crafted to go along with the by laws. It was not accepted by maker of the motion, Commissioner Childress.

Commissioner Bernard requests that "unanimous" be changed to "simple majority". It was accepted by maker of the motion, Commissioner Childress.

Commissioner Bernard requests the number of years for each board member be reduced from 5 years to 3 years. It was not accepted by maker of the motion, Commissioner Childress.

Commissioner Bernard makes a motion to add an amendment that gives responsibility of the Commission. It was seconded by Vice Mayor Cooper.

The motion was called to a vote:

All in favor: Commissioner Bernard and Vice Mayor Cooper.

All opposed: Mayor Ross, Commissioner Childress, Commissioner Anderson

Motion dies 2/3.

Commissioner Bernard makes a motion to take out the board's ability to enter into contracts.. It was seconded by Vice Mayor Cooper.

The motion was called to a vote:

All in favor: Commissioner Bernard and Vice Mayor Cooper.

All opposed: Mayor Ross, Commissioner Childress, Commissioner Anderson
Motion dies 2/3.

The original motion to accept the by-laws made by Commissioner Childress is called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson

All opposed: Vice Mayor Cooper and Commissioner Bernard
Motion carries 3/2.

Commissioner Childress makes a motion to appoint the applicants that were in attendance at the meeting, Alfred Jonas, Supreme Dorvil and Stephen Taylor. It was seconded by Commissioner Anderson.

Commissioner Bernard requests the motion be amended to appoint the two additional applicants that could not attend, Kathleen McGuinness and Priscilla Blake. It was accepted by the maker of the motion, Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, Commissioner Bernard.

All opposed: Vice Mayor Cooper
Motion carries 4/1

- 11.d Selection of board members for open positions in the Parks & Parkway Advisory Board and the Code Enforcement Board.

Commissioner Bernard does not have an appointment for Parks & Parkway and requests the item be moved to the next regular Commission meeting in November.

Vice Mayor Cooper does not have an appointment for Code Enforcement and requests the item be moved to the next regular Commission meeting in November.

12 New Business

- 12.a Mayor Ross: Draft legislation establishing procedures by which the Village Manager may authorize amendments within department budgets.

Attorney Hearn provided background.

Commissioner Bernard and Vice Mayor both had significant concerns.
Commissioner Anderson sees it as the correct way of doing business.
Commissioner Childress would like to hear from the public and to bring it forward as an ordinance with two public hearings.

After discussion, a motion made by Commissioner Anderson to bring the ordinance at first reading at the December regular commission meeting. It was seconded by Commissioner Childress.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson

All opposed: Vice Mayor Cooper and Commissioner Bernard

Motion carries 3/2

< Commissioner Bernard left the meeting at 10:00PM >

- 12.b Mayor Ross: Suggested issues to bring to the upcoming legislative session of the Miami Dade County League of Cities. The Mayor offered these suggestions:

> Authority to provide public notice to residents in most efficient manner. A movement most cities are putting into place.

> Impress upon the legislature not to continue with unfunded mandates. Requirement of cities that cause expenditures, ie, Comprehensive Plan and EAR process requirements.

Vice Mayor Cooper suggested that more ideas would come after the Commission participates in the Strategic Planning Session that is scheduled later in the month.

Mayor Ross encouraged each Commissioner to go to the League's website and review the information they have provided, consider these suggestions, and come to the next meeting with their ideas.

- 12.c Manager Garica provided background on the NOMI Circulator and the agreement with North Miami that would expire on 10/31/10. Requests that the Village allow the agreement to expire and instead move forward with creating our own circulator utilizing CITT Funds.

Motion made by Commissioner Childress to allow the agreement with North Miami to terminate. It was seconded by Commissioner Anderson.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, Vice Mayor Cooper

All opposed:

Motion carries 4/0

13 Reports

- 13.a < No committee reports.>

- 13.b **Village Attorney:** Has reviewed the draft of code changes from the Code Review Board. Will be providing the board's recommendations on changes to the code on fences and hedges.

Provided an update on the Worker's Compensation case that was discussed previously in an "in the shade" meeting where a settlement of \$99,500 was reached.

- Village Manager Garcia:** Provided update on the completion of the Recreation
13.c Center project with a soft-opening scheduled for October 31st in time for the Halloween event.

Provided update on the completion of the Public Works building and proceeding with collecting county funds and completing the art in public places requirement. Thanks the Public Works staff for their efforts in bringing the project in on budget.

- 13.d Vice Mayor Cooper glad we postponed decorum ordinances.

Commissioner Anderson appreciates resident input and reminder for the commission to act as adults.

Commissioner Childress will not be attending the November regular commission meeting as he will be traveling to a conference.

Mayor Ross recognized the passing of Joan Lehman; a reminder that November is Breast Cancer Awareness month, and provided a review of her visit to the Humane Society located in North Miami Beach and the services they provide.

14 Final Public Comments
< None >

15 Announcements

Due to the on-going construction and renovations at the Ed Burke Recreation Center, meetings have been re-located.

Tuesday, October 12th - Code Review at 7:00PM at Village Hall

Wednesday, October 13th - Recreation Advisory Board at 6:30PM at Village Hall

Wednesday, October 13th, Special Meeting of the Parks & Parkway Advisory Board at 5:00PM at Village Hall.

Monday, October 18th - Planning & Zoning at 6:30PM at Village Hall.

Tuesday, October 19th - Code Enforcement at 7:00PM at the Church of the Resurrection.

Wednesday, October 20th, Parks & Parkway Advisory Board at 6:00PM at Village Hall

Thursday, October 21st - Ecology Board at 6:30PM at Village Hall

Tuesday, October 26th - Code Review at 7:00PM at Village Hall

Sunday, October 31st - Halloween Fest at 6:30PM at the newly renovated Ed Burke Recreation Center

Tuesday, November 2nd - General Election starting at 7:00AM to 7:00PM at the Ed Burke Recreation Center

The next regular Commission meeting is Thursday, November 4th at 7:00PM.

16

Motion made by Commissioner Childress to adjourn and seconded by Commissioner Anderson.

The meeting was adjourned at 10:36PM

Commission approved on _____.

Attest:

Roxanna Ross, Mayor

Maria Camara, Village Clerk



VILLAGE OF BISCAYNE PARK
640 NE 114TH STREET
BISCAYNE PARK, FL 33161
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Mayor and Commission

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Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

MINUTES
SPECIAL COMMISSION MEETING
Church of the Resurrection - 11173 Griffing Blvd
Biscayne Park, FL 33161
Friday, October 22, 2010 7:00PM

1 Call to Order

2 Roll Call

Mayor Roxanna Ross called the meeting to order at 7:08PM. In addition to Mayor Ross, present were:

Vice Mayor Bryan Cooper
Commissioner Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

Present from staff were:

Village Manager Ana Garcia
Village Clerk Maria Camara
Village Attorney Hearn
Finance Director Michael Arciola
Police Chief Mitchell Glansberg
Public Works Administrative Assistant Cesar Hernandez
Parks & Recreation Director Issa Thornell

3 Pledge of Allegiance and Moment of Silence

4 Public Comments Related to Agenda Items / Good Welfare
< None >

5 New Business - Village Manager Contract

Clerk Camara read a written message from the Biscayne Park Police Department (Officers Lawrence Churchman, Raimundo Atesiano, James Rubin, Mark Tarr, Carlos Meza and Jose Orlando).

Vice Mayor Cooper began a discussion on the investigative report from Mr. Soloff and the allegations made by the former Finance Clerk. Manager Garcia provided a statement on the allegations made.

Commissioner Childress makes a motion that Soloff's investigative report be brought to the December regular commission meeting to discuss in detail and take appropriate action then. It was seconded by Commissioner Anderson

A suggestion made to have a special meeting to discuss it.

After discussion, the motion was called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson, Commissioner Bernard and Vice Mayor Cooper

Motion carries 5/0

After discussion on the Manager's contract, a motion made by Commissioner Childress as follows:

- > Amend the Manager's contract so that the contract is discussed annually at a special commission meeting and any changes to the contract are made then.

- > Manager's evaluations are provided orally by the Commission at the special commission meeting.

- > Allow the Manager to roll over the five (5) unused vacation days as of September 30, 2010, to be used prior to October 2011.

The motion was seconded by Commissioner Anderson

Commissioner Anderson requests an amendment to the motion that the second sentence of the first paragraph in section 11 be eliminated and the Manager should follow the same requirements as the personnel policies handbook.; and the section on the probationary period be removed.

The request is accepted by the maker of the motion, Commissioner Childress who also adds that the contract be changed from 100% to 75% payout for all unused vacation leave at separation.

Commissioner Bernard requests an amendment to the motion that the oral evaluation requirement be removed. It is not accepted by Commissioner Childress.

Mayor Ross requests an amendment to the motion that on the issue of severance, amend the contract to add for each year of service one month of severance, and to add paid COBRA coverage. Commissioner Anderson suggests a cap of 5 months. The request was not accepted by Commissioner Childress and would prefer to revisit in October 2011.

Mayor Ross requests an amendment to the motion to add a term in the Manager's contract requiring each Commissioner to meet regularly with the Manager to discuss Village business. The request is not accepted by Commissioner Childress.

The original motion made by Commissioner Childress is called to a vote:

All in favor: Mayor Ross, Commissioner Childress, Commissioner Anderson

All opposed: Commissioner Bernard and Vice Mayor Cooper

Motion carries 3/2

Manager Garcia provided the plans being discussed for the Halloween event on October 31st (6:30PM - 8:00PM) providing for better controls. However for next year will look to have it earlier in the day.

6 Final Public Comments

Chester Morris - Commission to have discussions with Manager; cost of Soloff's investigative report

Gary Kuhl - Manager Garcia's performance

Motion made by Commissioner Anderson to adjourn and seconded by Vice Mayor Cooper.

The meeting was adjourned at 8:49PM

Commission approved on _____.

Attest:

Roxanna Ross, Mayor

Maria Camara, Village Clerk



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Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

MINUTES

REGULAR COMMISSION MEETING

Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161

Thursday, November 4, 2010 at 7:00PM

1 Call to Order

2 Roll Call

Mayor Roxanna Ross called the meeting to order at 7:05PM. In addition to Mayor Ross, present were:

Vice Mayor Bryan Cooper
Commissioner Bob Anderson
Commissioner Steve Bernard

< Commissioner Al Childress was absent. >

Present from staff were:

Village Manager Ana Garcia
Village Clerk Maria Camara
Village Attorney Hearn
Finance Director Michael Arciola
Police Chief Mitchell Glansberg
Public Works Director Bernard Pratt
Public Works Administrative Assistant Cesar Hernandez
Parks & Recreation Director Issa Thornell

3 Pledge of Allegiance and Moment of Silence

4 Presentations

Proclamation presented to Sira Ramos proclaiming Thursday, November 4, 2010, as Sira Ramos Day. Recognitions provided by Manager Garcia, Chief Glansberg and Clerk Camara on Ms. Ramos' retirement as Code Enforcement Officer for the Village.

Proclamation presented to North Shore Medical Center in celebration of Blood Management Awareness Week.

Certificate of Appreciation awarded to Jose Areiza Ordonez from the Church of the Resurrection for his support and assistance while the Village held their meetings at the Church.

5 Additions, Deletions or Withdrawals to the Agenda

Vice Mayor Cooper requests addition of item 12a under New Business, discussion of special commission meeting scheduled for December 7th.

Commissioner Bernard requests addition of item 12b under New Business, discussion of Village website.

Item 13a, Committee Report for the Ecology Board moved up to allow presentation by board members Tracey Truppman and Matt Davis on the following subjects:

- > Utilizing Miami Dade County recycling services.
- > Septic tank legislation being planned for January 2011 and the impact on the residents of the Village.

6 Public Comments Related to Agenda Items / Good Welfare

John Holland - Recreation Advisory Board

Gage Hartung - Support of Sira Ramos on behalf of Code Review Board; general information regarding Code Review Board

Dan Keys - Manager rights to amend the budget.

7 Consent Agenda

Motion made by Commissioner Anderson to approve the consent agenda.

Commissioner Bernard pulls the minutes from September 14th and September 21st for discussion.

Vice Mayor Cooper pulls items 7.d and 7.e, mutual aid agreements with the City of Miami Police Department and City of North Miami Beach Police Department.

The motion was seconded by Vice Mayor Cooper.

Balance of items left on the consent agenda:

7.b - Resolution 2010-25

7.c - Resolution 2010-29

The motion was called to a vote:

All in favor: Mayor Ross, Vice Mayor Cooper, Commissioner Bernard and Commissioner Anderson

Motion carries: 4/0

Commissioner Bernard had the following requests/comments on the minutes for September 14, 2010:

- > On item 7.b, clarification be provided on the expenditure of forfeiture funds on rental fees. Clerk Camara will make the clarification and provide updated minutes for the next meeting.

> On item 11.a, confirm that on the resolution for summary minutes, that it includes specifying that the topic be included on what the speaker is addressing.

> On item 13.d, additional language on the comments made by Commissioner Bernard during his report. Commissioner Bernard to provide the language to the Clerk so that it can be forwarded to the Commission for review at the next meeting.

Commissioner Bernard had the following requests/comments on the minutes for September 21, 2010:

> There were topics of discussion during the meeting that should be included in the minutes. Commissioner Bernard to provide the language to the Clerk so that it can be forwarded to the Commission for review at the next meeting.

> On page 2, correction to be made that both ordinances were at second reading. Clerk Camara will make the correction and provide updated minutes for next meeting.

Motion made by Commissioner Bernard that due to the poor quality of the audio at the October regular commission meeting held at the Church, that the minutes for that meeting be more comprehensive than just summary minutes. It was seconded by Vice Mayor Cooper

The motion was called to a vote:

All in favor: Commissioner Bernard and Vice Mayor Cooper.

All Opposed: Mayor Ross and Commissioner Anderson.

Motion dies: 2/2

On items 7d and 7e, Vice Mayor Cooper had previously discussed his concerns with Chief Glansberg that the mutual aid agreements with the police departments from other municipalities would take our police force away from the Village.

Chief Glansberg explained that the mutual aid agreements are more of a benefit to the Village in that we would receive more assistance from other police agencies.

After discussion, motion made by Commissioner Anderson to approve the mutual aid agreements. It was seconded by Commissioner Bernard.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson, Vice Mayor Cooper and Commissioner Bernard.

All Opposed: None

Motion carries: 4/0

8 Public Hearings

< None >

9 Ordinances - First Reading

< None >

Ordinances - Second Reading

< None >

10 Resolutions

< None >

11 Old Business

- 11.a Commissioner Bernard: a discussion to create written certain specific policies and procedures.

Commissioner Bernard makes a motion that staff move forward on all 11 items listed and formulate procedures; and Manager to come back with a time frame for completion. It was seconded by Vice Mayor Cooper.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson, Vice Mayor Cooper and Commissioner Bernard.

All Opposed: None

Motion carries: 4/0

- 11.b Selection of board vacancies:

Vice Mayor Cooper appoints Dario Salazar to the Code Enforcement Board.

Vice Mayor Cooper does not have an appointment for the Parks & Parkway Advisory Board and requests the item be moved to the next regular Commission meeting in December.

Commissioner Bernard appoints John Zoellar to the Parks & Parkway Advisory Board.

12 New Business

- 12.a Commissioner Cooper - Discussion of special commission meeting scheduled for December 7, 2010, at 6:00PM, one hour before the regular commission meeting at 7:00PM, to discuss the investigative report from Mr. Soloff. Concerned that one hour would not be enough to properly discuss in detail.

After discussion, motion made by Commissioner Bernard to discuss the investigative report at the January 2011 regular commission meeting. It was seconded by Commissioner Anderson with the provision that Commissioner Childress is available on that date.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson, Vice Mayor Cooper and Commissioner Bernard.

All Opposed: None

Motion carries: 4/0

Motion made by Commissioner Anderson to change the date of the January 2011 regular commission meeting to the second Tuesday, January 11, 2010. It was seconded by Commissioner Bernard.

The motion was called to a vote:

All in favor: Mayor Ross, Commissioner Anderson, Vice Mayor Cooper and Commissioner Bernard.

All Opposed: None

Motion carries: 4/0

- 12.b Commissioner Bernard: Providing approved ordinances, resolutions, Commission meeting minutes and Committee minutes on the website.

Clerk Camara advised that all these updates are being worked on and would provide a presentation at the December regular commission meeting.

13 **Reports**

- 13.a John Holland, Chair of the Recreation Advisory Board provided a report on projects being worked, specifically Movie Night at the recreation center.

Would also provide to the Clerk the members that have not been in attendance in order to notify the Commission for possible replacements.

13.b **Village Attorney:**

- > Waiting on attorney general opinion on Biscayne Park Foundation.
- > Working with PBA and PTA unions.
- > Working with Code Review Board on fencing and hedge ordinance.

13.c **Village Manager Garcia:**

- > Financial monthly report provided for October 2010 by Finance Director Arciola
- > Recreation Center project.
- > Butterfly Park status
- > Sixth Avenue project completed.
- > Village Hall tenting scheduled.
- > Working with boards and residents on donated art sculpture location
- > Working with FDOT on Biscayne Park Way sign unveiling.

Final Public Comments

Alfred Jonas - art sculpture

13.d **Commission Reports:**

Vice Mayor Cooper: Reaffirms his commitment to the people who voted for him and his oversight of the Village.

Commissioner Anderson: Commends staff for preparation for storms; praises staff for successful Halloween event, especially Recreation Director Issa Thornell and Mayor Ross.

Commissioner Bernard: Wants to insure that the process for the location of the art sculpture is followed; the Commission is responsible to the residents; praises staff for successful Halloween event and Recreation Center improvements.

Mayor Ross: Attended Second Annual Southeast Florida Regional Climate Change Leadership Summit ; successful Strategic Planning Session; successful Halloween event, gratitude to staff for maximizing all dollars to complete all improvements to the Recreation Center.

14 Announcements

All public meetings are held at the Ed Burke Recreation Center, 11400 NE 9th Court, Biscayne Park.

Tuesday, November 9th - Code Review at 7:00PM

Wednesday, November 10th - Recreation Advisory Board at 6:30PM

Thursday, November 11th - Veteran's Day. All Village Departments will be closed.

Friday, November 12th, Village Hall will close early at 3PM to allow for the set up for the tenting of the building.

Monday, November 15th - Planning & Zoning at 6:30PM

Tuesday, November 16th - Code Enforcement at 7:00PM

Wednesday, November 17th - Parks & Parkway Advisory Board at 6:00PM.

Thursday, November 18th - Ecology Board at 6:30PM

Tuesday, November 23rd - Code Review Board at 7:00PM.

Thursday, November 25th and Friday, November 26th: All Village departments will be closed on Thursday. On Friday, Village Hall will be closed, but Public Works will be open and will complete both the Thursday and Friday pick up schedule.

- 15** Motion made by Commissioner Anderson to adjourn and seconded by Commissioner Bernard.
The meeting was adjourned at 9:32PM.

Commission approved on _____.

Attest:

Roxanna Ross, Mayor

Maria Camara, Village Clerk



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

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Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: **Resolution 2010-26**

Background Analysis:

Section 6.3.7(c) of the Village of Biscayne Park Land Development Code provides that the cost for additional/unscheduled trash removal shall be determined annually by resolution of the Village Commission.

The current charges for additional/unscheduled trash removal is as follows:

- Trash pile in excess of the two (2) cubic yards permitted: \$20.00 per cubic yard that is in excess
- Trash pile placed after Public Works had already serviced the residence: \$20.00
- Trash pile placed on a day that is not on the scheduled day: \$30.00
- Placing items other than yard trash (large household items, appliances, furniture, etc.): \$25.00 per item.
- A special service for failure to remedy a code violation: Rate is calculated at cost for the service.

Additionally, a report is being provided listing the Special Service Trash Pick Ups for the period of October 1, 2009 – September 30, 2010 which includes the total amount charged, the amount paid and the amount voided. It also provides a breakdown of the types of services performed.

Fiscal/Budgetary Impact:

While the recommendation will be to maintain the current rates and charges as listed above, administratively the Village will maintain a regular schedule of follow up for payments, up to and including the placement of liens for unpaid balances.

Manager Recommendation:

Manager recommends approval.

1
2
3 **RESOLUTION 2010-26**
4

5 **A RESOLUTION OF THE VILLAGE COMMISSION**
6 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA**
7 **ESTABLISHING THE COST FOR**
8 **ADDITIONAL/UNSCHEDULED TRASH REMOVAL;**
9 **PROVIDING FOR AN EFFECTIVE DATE**
10

11 WHEREAS, Section 6.3.7(c) of the Village of Biscayne Park Land Development Code
12 provides that the cost for additional/unscheduled trash removal shall be determined annually by
13 Resolution of the Village Commission; and

14 WHEREAS, the Village Commission of the Village of Biscayne Park desires to establish
15 the cost for additional/unscheduled trash removal;

16 **NOW THEREFORE IT IS HEREBY RESOLVED BY THE VILLAGE**
17 **COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:**

18 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified as true and correct
19 and incorporated herein by this reference.

20 **Section 2.** The Village Commission of the Village of Biscayne Park hereby determines
21 that the cost for additional/unscheduled trash removal shall be set as follows:

22 (1) **Special Trash Removal Requested by Resident** shall be invoiced at a rate of
23 \$20.00 per cubic yard. White goods and furniture shall be invoiced at \$25.00 each.

24 (2) **Unscheduled Special Trash Removal in Violation of the Village Code** shall be
25 invoiced at a rate of \$30.00 per cubic yard. Additionally, violators shall be subject to the fines
26 and penalties as established in Section 6.3.9 of the Village Code.

27 (3) **Exceptional Special Trash Removal (trash which exceeds 40 cubic yards)**
28 shall be removed by an outside contractor approved by the Village, and residents shall be
29 invoiced for the actual cost of the trash removal and any fees associated with the dumping of
30 same.



Public Works Department Special Services Trash Pick up

For the period of October 1, 2009 through September 30, 2010

No. of Pick

Ups	Total Charged
227	\$ 18,518.78

Types of Pick-ups:

194	85%	YW	Yard Waste (wrong day, late in day, greater than maximum volume)
13	6%	WG	White Goods (Appliances)
16	7%	F	Furniture
4	2%	B	Bedding

No. Paid	Total Paid	
53	\$ 3,538.78	19%

No. Voided	Total Voided	
33	\$ 1,550.00	8%

No. Still Due	Total Due
141	\$ 13,430.00

	Previous Action/Task	By
1	Daily drive through Village to identify infractions; take picture.	Public Works
2	Create invoice and identify property owner.	Public Works
3	Print two copies.	Public Works
4	Maintain master Excel file.	Public Works
5	Print, fold and insert in envelope and take to Village Hall for mailing.	Public Works
6	Provide second copy to Village Hall for filing.	Public Works
7	Payments received by mail or in person at Village Hall.	Village Hall
8	Pull filed copy and send to Public Works to update master file as paid.	Village Hall
9	Follow up for payment.	NONE

	Current Action/Task	By
1	Daily drive through Village to identify infractions; take picture.	Public Works
2	Create invoice and send by e-mail to Administrative Clerk at Village Hall.	Public Works
3	Maintain master Excel file.	Public Works
4	Print two copies.	Administrative Clerk
5	Identify property owner, print, fold and insert in envelope and mail.	Administrative Clerk
6	File second copy.	Administrative Clerk
7	Payments received by mail or in person at Village Hall.	Village Hall
8	Pull filed copy and send to Public Works to update master file as paid.	Administrative Clerk
9	Follow up for payment at 14 days.	Administrative Clerk
10	Follow up for payment at 28 days.	Administrative Clerk
11	Follow up for payment at 60 days via certified mail.	Administrative Clerk
12	Review at 60 days for placement of lien.	Village Clerk

SPECIAL SERVICE INVOICE - PUBLIC WORKS DEPARTMENT



DATE OF SERVICE: _____
ADDRESS OF PROPERTY: _____

INVOICE NUMBER : _____

BY AUTHORITY OF THE VILLAGE OF BISCAYNE PARK'S CODE OF ORDINANCES, Chapter 6.

☐ I. You placed a total of _____ cubic yards of **DOMESTIC TRASH** collection. This material was placed in the Village right-of-way, adjacent to your property, within 24 hours of the scheduled day of collection. However, the pile was _____ cubic yards in excess of the two (2) cubic yards permitted per household, or after Public Works had already serviced your residence. The rate for this service is **\$20.00** per cubic yard.

Please remit: **\$0.00**

☐ II. You placed a total of _____ cubic yards of **DOMESTIC TRASH** collection. This material was placed in the Village right-of-way, adjacent to your property, within 24 hours of the scheduled day of collection. However, the pile was placed out after Public Works had already serviced your residence. The rate for this service is **\$20.00** per cubic yard.

Please remit: **\$0.00**

☐ III. This material was placed in the Village right-of-way, adjacent to your property, **on a day that is not your scheduled day** of collection, and therefore must be charged \$30.00 per cubic yard. The pile was a total of _____ cubic yards.

Please remit: **\$0.00**

☐ IV. You placed a total of _____ **OTHER DOMESTIC TRASH ITEMS** (large household items, appliances, etc.) out for collection. These items consisted of _____. The rate for servicing this type of material is \$25.00 per large item.

Please remit: **\$0.00**

☐ V. You were provided a special service due to your **FAILURE TO REMEDY A CODE VIOLATION**.

This service consisted of _____ The rate for this service is calculated at cost.

Please remit: _____

Checks are to be made payable to the Village of Biscayne Park. Please remit payment along with the bottom portion of this invoice to:
Village of Biscayne Park, 640 NE 114th Street, Biscayne Park, FL 33161

PAYMENT IS DUE UPON RECEIPT OF THIS INVOICE.

Village of Biscayne Park Public Works Department

DATE OF SERVICE: 1/0/1900

INVOICE NUMBER: 0

PROPERTY ADDRESS: 0

TOTAL AMOUNT DUE: **\$0.00**



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: **Resolution 2010-31**

Background Analysis:

An evaluation of the Public Works Department has determined the following:

- Within the last two years the department has lost four employees that have not been replaced.
- Additional workload has impacted the department with the increased services needed with the addition of the Sixth Avenue medians
- There is an increase in the number of properties in foreclosure or in the process of being foreclosed that require lawn service
- Buildings and properties of the Village requiring additional maintenance

The utilization of an outside service to maintain a portion of the medians throughout the Village will assist the department in maintaining the service level the residents have come to expect. The medians that will be serviced are located on:

Streets: 111th, 113th, 115th, 117th, 119th, 120th, 121st
Avenues: 5th, 8th, 10th

Fiscal/Budgetary Impact:

By obtaining quotes from three selected vendors, the lowest quote for the services needed would cost the Village \$11,520 annually. Tip Top Enterprises, Inc. was the low bidder to provide this service. Tip Top is a professional company in business for over 20 years serving both the public and private sectors and other municipalities throughout Miami-Dade County.

The amount of \$5,000 for landscaping had already been budgeted under Public Works. The additional \$6,520 would come out of contingency under General Government.

The cost to provide this professional service for our Village is less than the cost of hiring one employee, even at part time, with the required pension contributions. Additionally the equipment necessary and the maintenance of the equipment are inclusive in the service provided.

Manager Recommendation:

Manager recommends approval.

RESOLUTION NO. 2010-31

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE
VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING
THE VILLAGE MANAGER TO EXECUTE THE
AGREEMENT FOR MONTHLY MEDIAN MAINTENANCE
SERVICES WITH TIP TOP ENTERPRISES, INC.;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Public Works Department of the Village of Biscayne Park has lost four employees in the last two years; and

WHEREAS, additional maintenance and landscaping services by Public Works has increased with the addition of the Sixth Avenue median; and

WHEREAS, Code Enforcement has required the services of Public Works for the maintenance of unkempt lawns from the increased number of homes that have gone into are in the midst of foreclosure; and

WHEREAS, the buildings and property of the Village require additional maintenance and repair from Public Works; and

WHEREAS, the annual cost of outsourcing the maintenance and landscape services of our medians will cost less than the annual salary of hiring a new employee; and

WHEREAS, three companies were contacted to provide a quote for maintenance services 26 times yearly (every two weeks) for the mowing, edging, trimming, hedge/shrub trimming, and pruning/trimming of trees in the medians indicated (see attached map); and

WHEREAS, Tip Top Enterprises, Inc., provided the lowest cost at \$960.00/monthly; and

WHEREAS, the Commission has found it to be in the best interests of the residents of the Village to have Tip Top Enterprises, Inc., perform the monthly median maintenance services;

**BE IT RESOLVED BY THE COMMISISON OF THE VILLAGE OF BISCAYNE
PARK, FLORIDA, THAT:**

1 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being
2 true and correct and hereby made a specific part of this Resolution upon adoption hereof.

3 **Section 2.** The Village Manager is hereby authorized to execute the Agreement for
4 monthly median maintenance services, attached hereto and incorporated herein as Exhibit "1."

5 **Section 3.** This Resolution shall become effective upon adoption.
6

7 PASSED AND ADOPTED this ____ day of _____, 2010.

8 **The foregoing resolution upon being**
9 **Put to a vote, the vote was as follows:**

10
11 _____
12 Roxanna Ross, Mayor Mayor Ross: _____
13 _____
14 Attest: Vice Mayor Cooper: _____
15 _____
16 Commissioner Anderson: _____
17 _____
18 Commission Bernard: _____
19 _____
20 Commissioner Childress: _____

21 _____
22 Maria Camara, Village Clerk

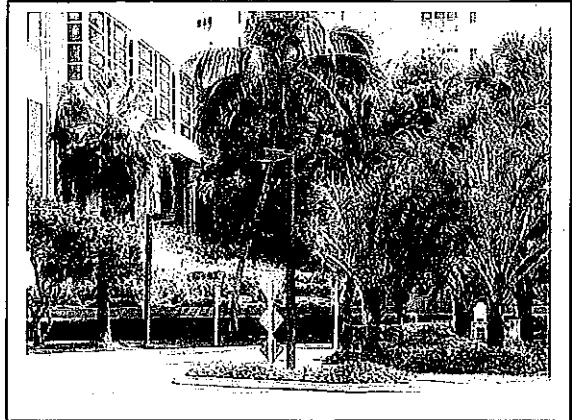
23
24 Approved as to form:

25 _____
26 John J. Hearn, Village Attorney

Tip Top Enterprises, Inc.

18101 S.W. 98 Court
Miami, Florida 33157
USA

Phone: 305-255-8198
Fax: 305-255-4653
Email: tiptop@tiptopentinc.com



LAWN MAINTENANCE AGREEMENT

This Agreement is made and entered into this ____ day of ____, 2010, between _____ (hereinafter called **OWNER**) and **TIP TOP ENTERPRISES, INC.**, a Florida Corporation (hereinafter called **CONTRACTOR**), for the lawn maintenance of:

Village of Biscayne Park
640 NE 114TH Street
Biscayne Park, FL 33161

In consideration of the mutual covenants set forth below, the parties agree as follows:

A. CONTRACTOR'S OBLIGATIONS:

1. **CONTRACTOR** shall, prior to starting work, obtain the necessary licenses and permits, and shall pay all fees and taxes and comply with all laws, ordinances and regulations applying to its work.
2. **CONTRACTOR** shall be responsible for all damages caused by its employees including, but not limited to, hedges, trees, shrubs, plants, bushes, lights, sensors, signs, utility lines, and fences. Should **CONTRACTOR** fail to make the necessary repairs, within a reasonable period of time following notification of these damages, **OWNER** has the right to contract for these repairs and deduct the cost from **CONTRACTOR'S** invoice.
3. **CONTRACTOR** will supply all equipment, vehicles and supervisory personnel to perform its obligations under this Agreement.
4. **CONTRACTOR** shall be fully indemnified by **OWNER** and, under no circumstances, be responsible to **OWNER**, or any third party, for damage caused by any occurrence not directly attributable to the actions of **CONTRACTOR**, its employees or subcontractors.
5. **CONTRACTOR** shall not assign this Agreement, or portions thereof, without the written consent of **OWNER**.

You Can See The Difference

6. **CONTRACTOR'S** permanent employees shall wear uniforms and identification tags supplied by the **CONTRACTOR** which shall identify such employees.

7. **CONTRACTOR** shall, at all times, keep the premises free from accumulation of waste materials or rubbish arising out of the operations under this contract.

B. MAINTENANCE STANDARDS:

1. Grass areas shall be maintained as lawn areas, cared for and evenly trimmed as prescribed in the landscape maintenance specifications.
2. Areas remaining in a natural state shall receive only such maintenance as needed to sustain their continued growth, free from disease and clear of all dead and fallen materials.
3. Shrubs, beds, existing ornamental and feature trees shall be maintained in accordance with prescribed specifications.
4. Maintenance of all grounds shall conform to high standards. Litter and debris shall be removed on a "per cutting" basis so as to maintain the grounds in a clean and attractive condition.

C. MAINTENANCE SPECIFICATIONS:

1. MOWING:

- a. No more than 40% of leaf height should be cut back at any one time.
- b. Raking and cleaning of all appropriate areas shall be completed on the same day as mowed.

2. EDGING:

- a. Lawn areas will be neatly edged and all grass invasion eliminated from bed areas. Edging will be done every service, with debris removed from the area. Areas include, but are not limited to, concrete slabs, shrub beds and driveways.
- b. Beds will be edged and cleaned either by chemical or hand of any undesirable growth with debris removed from the bed area.

3. TRIMMING (WEEDEATING):

Shall be done with each service, areas including, but not limited to signs, concrete pads and fences.

4. HEDGE/SHRUB TRIMMING:

Shrubs, hedges and group covers will be trimmed as needed, specifically, spring flowering plants will be pruned in a manner appropriate to promote maximum flower display and kept in a neat condition, shrub trimming shall maintain a sculptured appearance, no flat topping and close cutting.

5. PRUNING AND TRIMMING OF TREES:

All trees will be maintained at a height of at least eight (8) feet where appropriate. All trimmings will be removed from premises the same day as trimmed. This Agreement does not include topping and shaping or hat racking of trees or palms or hurricane preparedness. A purchase order will be required for this additional work.

6. PROCEDURES:

Sprinkler heads and pipe will be repaired by **CONTRACTOR**, if broken by its crews during maintenance. If a particular cutting is not completed in a particular day, a crew will return the following work day to complete balance of work.

D. MAINTENANCE TERM & SCHEDULE:

1. TERM:

The term of this Agreement shall be for the period of one year from the date hereof. The Agreement shall be automatically renewed at the expiration of the term. Termination of this contract may be executed by either party, with cause, upon 60 days written notice by certified mail, return receipt requested.

2. SCHEDULE:

Maintenance services up to 26 times yearly (as follows): Every Two Weeks

Jan. Feb. Mar. Apr. May Jun. Jul. Aug. Sept. Oct. Nov. Dec.

E. CONTRACT PRICES:

The agreed monthly contract rate is **\$ 960.00 /Service.** Payment is due within ten (10) days of billing each month. Additional servicing will be done upon request at per service rate. No credit for services cancelled due to inclement weather. This quote is based on one crew day to do Village's mowing requirements.

F. SPECIAL CONDITIONS:

Below is a list of services not included in this contract, unless otherwise noted. However, the services are available at additional cost to the **OWNER** upon request. Prices below are for each time service is requested, and authorized, by **OWNER**.

FERTILIZATION: (Suggested 2 times per year.)

\$ 36.00/bag

SPRAYING (PEST/FUNGUS CONTROL):
(As required only)-White Fly Infestations not included

\$ As required
at \$ 2.00/ gal

WEED CONTROL:

\$ 3.00/ gal

You Can See The Difference

MULCHING: (Suggested 2 times per year.)

\$ 4.50/bag .

PLANT REPLACEMENT: (per request)

\$ To be quoted .

SPRINKLER MAINTENANCE: Clean and adjust
Repairs @T&M

\$ To be quoted .

TREE TRIMMING

**\$ 1,280.00/Day (Bucket truck
with 4 man crew/MOT/Loader truck)**

OTHER: checked if included

- 1. Priority hurricane service included.**
- 2. Debris removal at \$20.00/ yard.**

In witness whereof, the parties hereby set their hands and seals to this Agreement.

Witnesses:

Monica Hall
Steve Young

Witnesses:

TIP TOP ENTERPRISES, INC.

By: Joseph Arvis Porter

Joseph Arvis Porter, President

OWNER: _____

By: _____

Printed Name: _____

You Can See The Difference



Groundkeepers, Inc.

8004 N.W. 154th Street, Suite# 330
Miami Lakes, Florida 33016

Estimate

Date	Estimate #
11/3/2010	1010027

Name / Address
Village of Biscayne Park Ana Garcia 640 NE 114th Street Biscayne Park, FL 33161

			Project
			Medians Lawn Service
Description	Qty	Cost	Total
Village of Biscayne Bay - Medians - Lawn Maintenance Mow, edge & blow - 26 cuts- Labor and materials included- per visit - Bucket Truck with chipper and labor \$ 500.00 per day - Bag of mulch delivered and installed - \$ 3.50 per bag	26	970.00	25,220.00
Thank you for considering us for your Landscaping needs.		Total	\$25,220.00

Phone #	Fax #	E-mail
305-825-1712	305-825-1713	billing@groundkeepers.net

Pricing and Scope of Work

PROPOSAL FOR LANDSCAPE MANAGEMENT SERVICES

We appreciate the opportunity to propose to you how ValleyCrest Landscape Maintenance, Inc., can help you enhance the quality of your landscape. Our team is committed to integrating the specific landscape needs of your property with your service expectations and budget considerations. Giving careful consideration to the individuality of each landscape, ValleyCrest Landscape Maintenance, Inc., provides competitive pricing, which may include landscape maintenance, irrigation, tree care, and seasonal color programs. Our Proposal includes Scope of Work, Practical Specifications for Landscape Management and General Terms and Conditions. The General Terms and Conditions are attached as Exhibit "A" and fully incorporated herein by reference.

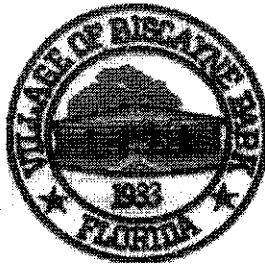
An effective landscape management program is sustainable and provides value. We are confident that your property would benefit greatly from our efforts to create beauty in the appearance of your landscape while our operational efficiencies create value to your budget.

We hereby propose the following for your review:

Client's Initials	Service	Price Per Year	Price Per Month
	Turf Maintenance 24 cuts x per year	Included	Included
	Shrub and Hedge Trimming 12 x per year	Included	Included
	Weed Control 12 x per year (bed areas)	Included	Included
	Debris Pick-up every visit	Included	Included
	Base Management Price TOTAL	\$21,600.00	\$ 1,800.00

ADDITIONAL SERVICES

Client's Initials	Service Per Specs	Price	Quantity
	Mulch (Includes Labor)	\$ 3.90	Per Bag
	Bucket Truck with Three Crew	\$ 1,400.00	Per day
	Turf Fertilization	\$ 1,250.00	Per Application
	Pallet of Sod Installed	\$ 295.00	Per Pallet



Date: 12/7/2010
To: Commissioners
From: Mayor Roxanna Ross
Re: People's Transportation Plan Surtax Distribution

REQUEST:

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK (A) EXPRESSING SUPPORT FOR THE CITIES OF CUTLER BAY, DORAL AND MIAMI GARDENS, AND (B) URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE THESE THREE CITIES WITH THEIR RIGHTFUL SHARE OF THE PEOPLE'S TRANSPORTATION PLAN SURTAX FUNDING FROM THE COUNTY'S 80% SHARE OF THE SURTAX, AS ORIGINALLY NEGOTIATED IN GOOD FAITH, AGREED TO AND MEMORIALIZED IN MIAMI-DADE COUNTY ORDINANCE NO. 02-116.

BACKGROUND AND ANALYSIS:

In 2002 Miami Dade County voters approved the People's Transportation Plan and a half-penny surtax to fund transit and transportation throughout the County ("PTP"). Ordinance No. 02-116, adopted by the Miami Dade County Commission provided for 20% of PTP revenue to be distributed to the then existing cities, per capita, and provided that newly incorporated cities would have the right to negotiate with the County for their pro rata share of the sales surtax from the County's 80% portion. Since their incorporation, the cities of Cutler Bay, Doral and Miami Gardens have tried to negotiate the pro rata share of the PTP surtax without reaching resolution, during which time they have received no distribution in respect of PTP surtax revenues. County administration has proposed a "Hold Harmless Option," altering the funding plan of Ordinance by dilution of the 20% allocation reserved for cities which existed at the time the PTP question was approved by the voters.

FISCAL/BUDGETARY IMPACT:

The Village of Biscayne Park is budgeted to receive \$73,322 in 2010-2011 from PTP revenue. A dilution of the 20% allocation [reserved for cities which existed at the time the PTP question was approved by the voters] will have a negative impact on future funding for the Village.

RECOMMENDATION:

Approve a Resolution supporting the new cities to receive their pro rata share of PTP revenue from the County's 80% portion.

1
2
3 **RESOLUTION NO. 2010 – 33**
4

5 **RESOLUTION OF THE VILLAGE COMMISSION OF**
6 **THE VILLAGE OF BISCAYNE PARK EXPRESSING**
7 **SUPPORT FOR THE CITIES OF CUTLER BAY, DORAL**
8 **AND MIAMI GARDENS, AND URGING THE MIAMI-**
9 **DADE COUNTY BOARD OF COUNTY**
10 **COMMISSIONERS TO PROVIDE THESE THREE**
11 **CITIES WITH THEIR RIGHTFUL SHARE OF THE**
12 **PEOPLE'S TRANSPORTATION PLAN SURTAX**
13 **FUNDING FROM THE COUNTY'S 80% SHARE OF THE**
14 **SURTAX, AS ORIGINALLY NEGOTIATED IN GOOD**
15 **FAITH, AGREED TO, AND MEMORIALIZED IN MIAMI-**
16 **DADE COUNTY ORDINANCE NO. 02-116.**
17

18 WHEREAS, in 2002 Miami-Dade County voters approved the People's Transportation
19 Plan ("PTP") and a half-cent sales surtax to be used for the enhancement of transit and
20 transportation throughout Miami-Dade County; and
21

22 WHEREAS, previous efforts to implement such a tax had been defeated by the voters,
23 and without support from the municipal leadership in Miami-Dade County, the ballot question
24 most likely would have failed again in 2002; and
25

26 WHEREAS then Mayor Alex Penelas worked in good faith with municipal leaders to
27 develop a revenue-sharing concept that could be supported by the existing cities in Miami-Dade
28 County, whereby 20% of the revenue generated by the half-cent sales surtax would be distributed
29 to the cities in existence at the time the surtax was approved; and,
30

31 WHEREAS, on July 9, 2002, the Miami-Dade County Board of County Commissioners
32 ("BCC") adopted Ordinance 02-116, which expressly provides that 20% of the half-cent sales tax
33 proceeds must be distributed solely among the existing cities ("20% Allocation"); and
34

35 WHEREAS, Section 29-124(g) of Ordinance No. 02-116 specifically and clearly
36 provides that newly incorporated municipalities will have the right to negotiate with the County
37 for their pro rata share of the sales surtax from the County's 80% portion, and that providing
38 funding to new cities would not affect the 20% Allocation provided to the municipalities that
39 existed at the time the question was approved by the voters; and
40

41 WHEREAS, since 2002 three municipalities have been permitted to incorporate in
42 Miami-Dade County: Cuter Bay, Doral and Miami Gardens ("New Cities"); and
43

44 WHEREAS, the municipalities currently receiving the surtax have consistently expressed
45 support for the New Cities to receive funding as provided for by Miami-Dade County in
46 Ordinance No. 20-116; and
47

1 WHEREAS, House Bill 1205 was approved during the 2009 Florida legislative session,
2 requiring Miami-Dade County to renegotiate the interlocal agreements for distribution of the
3 surtax proceeds every five years to include the New Cities; and
4

5 WHEREAS, a working group was convened earlier this year by Miami-Dade County
6 with representatives from municipalities and the County to discuss the issue, and the group has
7 met on at least three occasions to discuss options proffered by the County, without reaching
8 agreement on a solution; and
9

10 WHEREAS, the County administration has proposed alternate funding of the New Cities
11 through a combination of a "Hold Harmless Option" in conjunction with a relaxation of the
12 current municipal maintenance of effort requirement; and
13

14 WHEREAS, the Hold Harmless Option proposes to provide PTP revenues to the New
15 Cities through growth in the coming years as the economy recovers, and ultimately from the 20%
16 Allocation; and,
17

18 WHEREAS, the Hold Harmless Option Allocation will dilute the negotiated 20%
19 Allocation provided to the municipalities that existed at the time the PTP surtax was approved by
20 the voters; and
21

22 WHEREAS, current economic pressures impact upon municipal funding which has
23 become more scarce, resulting in program and service cuts, increasing the importance of
24 equitably distribution of funds; and,
25

26 WHEREAS, the Village of Biscayne Park anticipates receiving PTP revenues in the
27 amount of \$73,322 in fiscal year 2010-2011; and
28

29 WHEREAS, any reduction of revenue to the Village will likely impact upon the services
30 and quality of life afforded by the Village for its residents and consequent financial hardship for
31 our small municipality; and
32

33 WHEREAS, the Village of Biscayne Park Commission opposes the "Hold Harmless
34 Option" but rather supports a plan whereby the New Cities of Cutler Bay, Doral and Miami
35 Gardens are provided their rightful share of PTP surtax funding as originally provided in Miami-
36 Dade County Ordinance 02-116.
37

38 NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE
39 VILLAGE OF BISCAYNE PARK, FLORIDA, that this Commission:
40

41 Section 1: Supports the cities of Cutler Bay, Doral and Miami Gardens to receive their
42 rightful share of PTP surtax funds as provided in Miami-Dade County Ordinance No. 02-
43 116.
44

45 Section 2: Urges the Miami-Dade County Board of County Commissioners to reject any
46 plan or proposal that dilutes the 2002 vote of our citizens through the People's
47 Transportation Plan, and to immediately fund cities newly incorporated after 2002 from
48 the County's 80% share as originally negotiated in good faith, agreed and memorialized
49 in Miami-Dade County Ordinance No. 02-116.

Section 3: Directs the Clerk of the Village to transmit copies of this Resolution to the Mayor and Members of the Miami-Dade County Commission, the offices of the County Manager, and representatives of the previously convened working group.

Section 4: Effective Date: This Resolution shall become effective immediately upon its passage and adoption by majority vote of the Commission of the Village of Biscayne Park, Florida.

PASSED on this _____ day of _____, 2010.

**The foregoing resolution upon being
Put to a vote, the vote was as follows:**

Attest:

Roxanna Ross, Mayor

The foregoing resolution upon being put to a vote, the vote was as follows:

Maria Camara, Village Clerk

Mayor Ross: _____
Vice-Mayor Cooper: _____
Commissioner Anderson: _____
Commissioner Bernard: _____
Commissioner Childress: _____

Approved as to form:

John J. Hearn, Village Attorney



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: Resolution 2010-34

Background Analysis:

Legislation passed in 2004 to implement Revision 7 to Article V of the Florida Constitution provides that the State Attorney may prosecute municipal ordinances only if (1) the ordinance violation is ancillary to a felony prosecution (s.27.02(1), Florida Statutes), or (2) the county/municipality has entered into a contract with the State Attorney for these prosecutions.

Fiscal/Budgetary Impact:

The Village would be billed at the statutorily prescribed rate of \$50 per hour. The estimate is that, on average, it takes approximately 20 minutes per case; therefore the charged rate would be \$16.67 per case.

Manager Recommendation:

Based on Chief Glansberg's review and recommendation, and our continued efforts to achieve cost efficiencies, manager recommends approval.

Manager Recommendation

Page 1 of 1



BISCAYNE PARK POLICE DEPARTMENT

**640 N.E. 114th Street
Biscayne Park, Florida 33161
(305) 899-8000**

Date: November 24th, 2010
To: Ana M. Garcia, Village Manager
From: **Chief Mitchell Glansberg** 
Re: Contract with State Attorney
Cc: John Hearn, Village attorney

Attached is the yearly renewal agreement from the State attorneys Office for the prosecution of Municipal Ordinance violations. I recommend that we continue to agree to the State Attorney prosecuting the occasional Municipal Ordinance violation within the Village of Biscayne Park.

The projected fees are \$300.00-\$400.00 per year, at best. The other option would be to ask our Village Attorney to take over the occasional prosecutions of County Ordinance violations, which may be more costly then the \$50.00 per hour the State Attorney will charge. Last year we had few Municipal Ordinance prosecutions.

1
2
3
4 **RESOLUTION 2010-34**
5

6 **A RESOLUTION OF THE VILLAGE COMMISSION**
7 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA,**
8 **AUTHORIZING THE VILLAGE MANAGER TO**
9 **ENTER INTO AN AGREEMENT BETWEEN THE**
10 **VILLAGE OF BISCAYNE PARK AND THE STATE OF**
11 **FLORIDA, OFFICE OF THE STATE ATTORNEY FOR**
12 **THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**
13 **TO REIMBURSE THE STATE FOR THE COST OF**
14 **STATE ATTORNEY PROSECUTION OF CERTAIN**
15 **CRIMINAL VIOLATIONS OF THE MUNICIPAL**
16 **CODE OF THE VILLAGE OF BISCAYNE PARK;**
17 **PROVIDING FOR AN EFFECTIVE DATE**
18
19
20
21

22 WHEREAS, the Village finds that in order to maintain and improve the health, safety, and
23 welfare of this community, it is necessary to adequately enforce and prosecute violations of the
24 Village's Municipal Code; and
25

26 WHEREAS, Section 27.02, Florida Statutes, authorizes the State Attorney to prosecute
27 municipal ordinance violations punishable by incarceration if ancillary to state prosecution or, if not
28 ancillary to state prosecution, when the State Attorney contracts with the City for reimbursement.
29

30 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF**
31 **THE VILLAGE OF BISCAYNE PARK, THAT:**
32

33 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being
34 true and correct and hereby made a specific part of this Resolution upon adoption hereof.
35

36 **Section 2.** The Village Manager is authorized to execute the agreement between the
37 State of Florida, Office of the State Attorney for the Eleventh Judicial Circuit of Florida and the
38 Village of Biscayne Park, to reimburse the State for the cost of state attorney prosecution of certain
39 criminal violations of the municipal code of the Village of Biscayne Park, attached hereto and
40 incorporated herein as Exhibit "1."

Section 3: This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2010.

**The foregoing resolution upon being
Put to a vote, the vote was as follows:**

Roxanna Ross, Mayor

Attest:

Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

Mayor Ross : _____
Vice Mayor Cooper : _____
Commissioner Anderson : _____
Commission Bernard : _____
Commissioner Childress: _____

**AGREEMENT BETWEEN THE VILLAGE OF
BISCAYNE PARK AND THE STATE OF FLORIDA,
OFFICE OF THE STATE ATTORNEY FOR THE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, TO
REIMBURSE THE STATE FOR THE COST OF
STATE ATTORNEY PROSECUTION OF CERTAIN
CRIMINAL VIOLATIONS OF THE MUNICIPAL
CODE OF THE VILLAGE OF BISCAYNE PARK**

This agreement is entered into this ____ day of _____, 2010, by and between the Village of Biscayne Park, a political subdivision of the State of Florida (hereinafter referred to as the "Village") and the Office of the State Attorney for the Eleventh Judicial Circuit of Florida (hereinafter referred to as "State Attorney").

ARTICLE I

Services

The State Attorney agrees to prosecute municipal ordinance violations as authorized in Sections 27.02, and 27.34, Florida Statutes. The Village agrees to remit, subject to the terms outlined in Article III of this agreement, to the State Attorney the required funds to reimburse for costs associated with the prosecution of violations of the Municipal Code for the period of October 1, 2010, through September 30, 2011. The State Attorney shall provide such clerical and professional personnel as may be required for the performance of any of the functions of the State Attorney as set forth in this agreement. This agreement does not commit the Village to pay for the prosecution of Municipal Code violations ancillary to state prosecution or for the prosecution of municipal ordinance violations not punishable by incarceration. This agreement specifically does not authorize the State to handle appeals of municipal ordinances on constitutional grounds, which shall remain the responsibility of the municipality that passed the ordinance.

ARTICLE II

Terms

This agreement shall expire on September 30, 2011, unless terminated earlier pursuant to Article VII of this agreement. Under no circumstances shall the Village be liable to continue or extend this agreement beyond this date. This agreement may only be amended in writing, through a document executed by duly authorized representatives of the signatories to this agreement.

ARTICLE III

Payment Schedule

The Village agrees to reimburse the State Attorney on an hourly basis for services rendered at a rate of Fifty dollars (\$50) per hour. On a quarterly basis, the State Attorney shall provide the Village with an invoice including, but not limited to, the hours of services rendered, number of cases prosecuted as set forth in this agreement, and the total amount due for payment for the previous month. The Village shall remit each payment within ten (10) days after receiving said invoice from the State Attorney.

ARTICLE IV

Responsibilities

The Village does not delegate any of its responsibilities or powers to the State Attorney other than those enumerated in this agreement. The State Attorney does not delegate any of its responsibilities or powers to the Village other than those enumerated in this agreement.

ARTICLE V

Reporting

All required reports shall be submitted to the office of the Village Clerk of the Village of Biscayne Park, 640 NE 114th Street, Biscayne Park, Florida 33161.

ARTICLE VI
Indemnification

It is expressly understood and intended that the State Attorney is only a recipient of the reimbursements paid by the Village and is not an agent of the Village. The respective parties agree, subject to the provisions of Chapter 768.28 (17), Florida Statutes, that they will hold each other harmless from any claims arising from this agreement.

ARTICLE VII
Termination

Either party may terminate this agreement at any time with or without cause by furnishing written notice to the other party with no less than ninety (90) days notice.

ARTICLE VIII
Service Charges

This agreement is contingent upon all Village funding provided, and any interest earned thereon, not being subject to any State service charges or administrative assessments.

ARTICLE IX
Non-Discrimination

The State Attorney agrees to abide and be governed by Title II of the Americans with Disabilities Act of 1990, Title VI and VII, Civil Rights Act of 1964 (42 USC 200d, e) and Title Viii of the Civil Rights Act of 1968, as amended, which provides in part that there will not be discrimination of race, color, sex, religious background, ancestry, or national origin in performance of this contract, in regard to persons served, or in regard to employees or applicants for employment and it is expressly understood that upon receipt of evidence of discrimination, the Village shall have the right to terminate said agreement.

IN WITNESS THEREOF, the parties have caused this agreement to be executed by their respective and duly authorized officers the day and year first above written.

VILLAGE OF BISCAYNE PARK:

State Attorney's Office
Eleventh Judicial Circuit

Ana M. Garcia
Village Manager

Don L. Horn
Chief Assistant State Attorney
for Administration

ATTEST:

Maria C. Camara
Village Clerk

Approved as to form:

John J. Hearn
Village Attorney

CLERK



VILLAGE OF BISCAYNE PARK, FLORIDA
VARIANCE APPLICATION
Planning & Zoning Board (PZB)

TODAY'S DATE: Nov-2-2009

P&Z-AGENDA NO: _____

PURSUANT TO SECTION 15.3 OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, I HEREBY REQUEST A VARIANCE OF THE ZONING CODE AS DESCRIBED BELOW:

PETITIONER: Leonardo and Kimberly Esquivel

PROPERTY ADDRESS: 850 NE 118th Street
Biscayne Park, FL 33161

PHONE NO: 305 799-5823

OWNER OF SUBJECT PROPERTY: same

ADDRESS: same

PHONE NO: same

PETITIONER'S RELATION TO SUBJECT PROPERTY: owner

PROPERTY ADDRESS-LEGAL DESCRIPTION: FOLIO#

LOT: 4 BLOCK: 26B

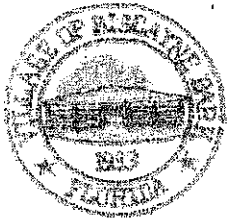
SUBDIVISION: Griffin Biscayne Park Estates ZONING DISTRICT

SECTION(S) OF THE CODE TO BE APPEALED FOR VARIANCE REQUEST:

chapter 11.7.3 Outdoor Utility or storage shed
not to exceed 100 sq ft.

ATTACH A JUSTIFICATION STATEMENT ADDRESSING ALL FOUR [4] CRITERIA FOR THIS VARIANCE REQUEST AS FOLLOWS:

1. SPECIAL CIRCUMSTANCES OR CONDITIONS
2. PRESERVATION AND ENJOYMENT OF SUBSTANTIAL PROPERTY RIGHT
3. NOT DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY
4. MINIMUM VARIANCE FOR REASONABLE USE



VILLAGE OF BISCAYNE PARK BUILDING PERMIT APPLICATION

Today's Date _____

Job Site Address: 850 NE 118th Street Biscayne Park, FL 33161

Legal Description: Tax Folio # 17-2231-007-0810

Property Owner Leonardo and Kimberly Esquivel

Owner's Address 850 NE 118th ST City Biscayne Park ST/Zip FL 33161

Home Phone 305 892-9212 Cell /other Phone 305 799 5823

Contractor's Company Name: _____

Contact Name _____ Phone _____ (Attach business card)

****Attach: Copy of Contractor's License/ Liability Insurance ****

DESCRIPTION OF WORK: install shed and install vinyl fence
Square Ft. _____ Estimated Cost: 3000 each project

APPLICATION IS HEREBY submitted to obtain a Permit to do work and Installations as indicated. I certify that no work has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in Biscayne Park. If work has commenced without such permit a double fee will be apply to the permit cost. I understand that separate permits must be secured for **ELECTRICAL, PLUMBING, ROOF, SWIMMING POOLS, FENCES, PAVING, AIR CONDITIONING, PAINTING & COLOR SELECTIONS, AND/OR AS INDICATED**

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above-named contractor to do the work stated.

AGENT'S AFFIDAVIT: If an agent is representing the owner, a separate affidavit must be completed and attached herewith authorizing this substitution. **WARNING TO OWNER: Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property. If you intend to obtain financing, you must consult your lender or an attorney BEFORE recording your Notice of Commencement. THE NOTICE OF COMMENCEMENT MUST BE POSTED AT JOBSITE BEFORE THE FIRST INSPECTION.**

X Kimberly Esquivel
Signature of Property Owner or Agent

X _____
Signature of Contractor

ADMINISTERED OATH; SWORN TO & SUBSCRIBED BEFORE ME THIS
DAY OF November, 2009

ADMINISTERED OATH; SWORN TO & SUBSCRIBED BEFORE ME THIS
DAY OF _____, 20____.

Cynthia D. Delgado
Signature of NOTARY Public Cynthia D. Delgado
Notary Seal: _____
COMMISSION # DD881425
EXPIRES: FEB. 15, 2013

Signature of NOTARY to Contractor
Notary Seal: _____

As of October 1, 2009, all work done to be inspected must be in compliance with the 2004 Edition of the Florida Building Code. THIS APPLICATION IS VALID FOR 180 DAYS FROM DATE APPROVED. APPLICATION AND ALL ATTACHMENTS WILL BE DISCARDED IF NOT PICKED UP.

PERMIT NO: _____

PERMIT FEE TOTAL: _____

Fee: _____ IF _____ PAF _____ SC _____ TF _____ DBL _____

PR _____ CR _____

BUILDING _____ STRUCTURAL ENGINEER _____ ELECTRICAL _____

MECHANICAL _____ PLUMBING _____ ZONING _____

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE SUBJECT PROPERTY DESCRIBED IN THIS VARIANCE PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PETITIONER:

Kimberly Esquivel

DATE: 11-2-09

IF NEEDED: AS OWNER, I AUTHORIZE _____ TO ACT AS MY AGENT IN THIS MATTER. PLEASE PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APPLICABLE.

NAME:

ADDRESS:

PHONE NO:

Sworn to and subscribed before me this

2nd day of November, 2009.



COMMISSION #DD861425

EXPIRES: FEB. 15, 2013

www.aaronnotary.com

NOTARY PUBLIC

My Commission Expires:

Feb. 15, 2013

Kimberly Esquivel

OWNER'S NAME (print or type)

850 NE 119th ST

ADDRESS (street, city)

305 7995823

PHONE NUMBER

Kimberly Esquivel

SIGNATURE OF OWNER

- ☒ Personally known
☐ Produced Identification
Type of ID: _____
☐ Did take an oath
☐ Did NOT take an oath

TO BE COMPLETED BY THE PLANNING & ZONING BOARD

Accepted for review by: _____ Date: _____

P&Z Agenda #: _____ Non-Use Variance Review form attached: Yes / No

TO BE COMPLETED BY THE VILLAGE ADMINISTRATION

FEE: \$150.00 - with permit application processed
\$250.00 - without permit application processed

Variance Application fee due upon submittal of packets.

Additional fees will incur at time of variance process by the Village Clerk's office.

Accepted by: _____ Date: _____

November 2, 2009

Village of Biscayne Park
Planning and Zoning Board

To Whom It May Concern:

SUBJECT: PROPERTY AT 850 NE 118, VARIANCE JUSTIFICATION

STATEMENT FOR SHED

1. Special Circumstances or Conditions

When we purchased the house, the previous owners had converted the garage into a 3rd bedroom. We have a family of 3 outgrowing the storage of the house.

2. Preservation and enjoyment of substantial property right

To continue to enjoy our home and make more space for storing our property, we would like to install a shed larger than the allowed 100 sq ft.

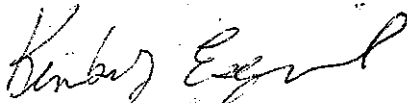
3. Not detrimental to public welfare or injurious to other property

We would adhere to the setback requirements and install shrubs to screen the larger structure.

4. Minimum variance for reasonable use

We are asking to be able to increase our shed size to 12' x 16' or 192 sq ft. to be able to reasonable store our lawn equipment, generator and motorcycles and tools.

Sincerely,



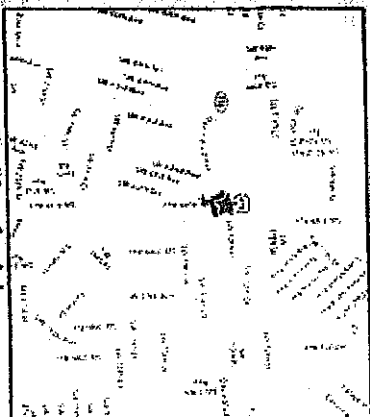
Kimberly Esquivel
850 NE 118th Street
Biscayne Park, FL 33161

850 NE 118TH STREET
BISCAYNE PARK, FL 33161

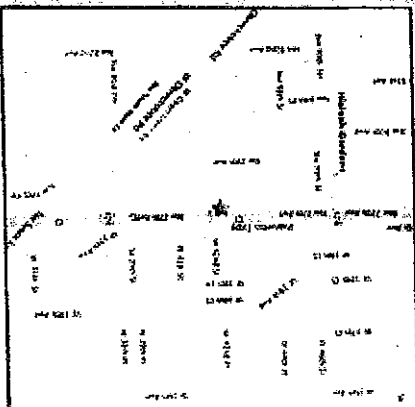
SHED SIZES

- ☐ 4x6
- ☐ 4x8
- ☐ 4x10
- ☐ 6x6
- ☐ 6x8
- ☐ 6x10
- ☐ 6x12
- ☐ 8x8
- ☐ 8x10
- ☐ 8x12
- ☐ 8x14
- ☐ 8x16
- ☐ 10x10
- ☐ 10x12
- ☐ 10x14
- ☐ 10x16
- ☐ 10x18
- ☐ 10x20
- ☐ 10x22
- ☐ 10x24
- ☐ 12x12
- ☐ 12x14
- ☒ 12x16
- ☐ 12x18
- ☐ 12x20
- ☐ 12x24

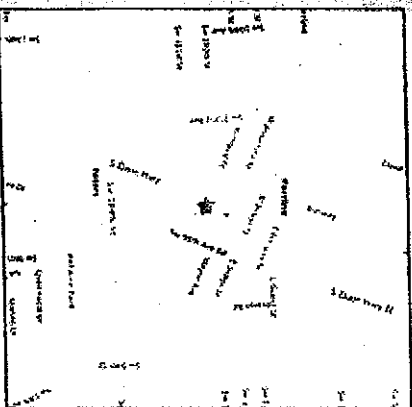
Price + Tax



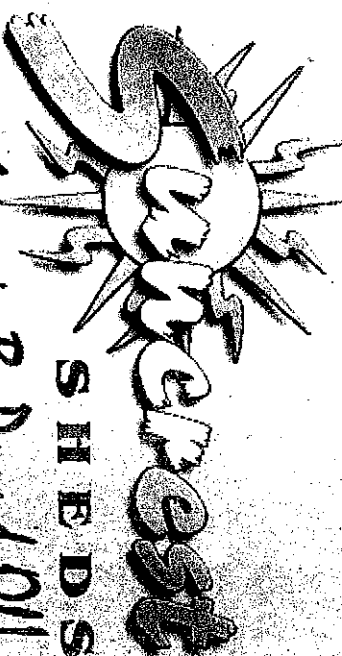
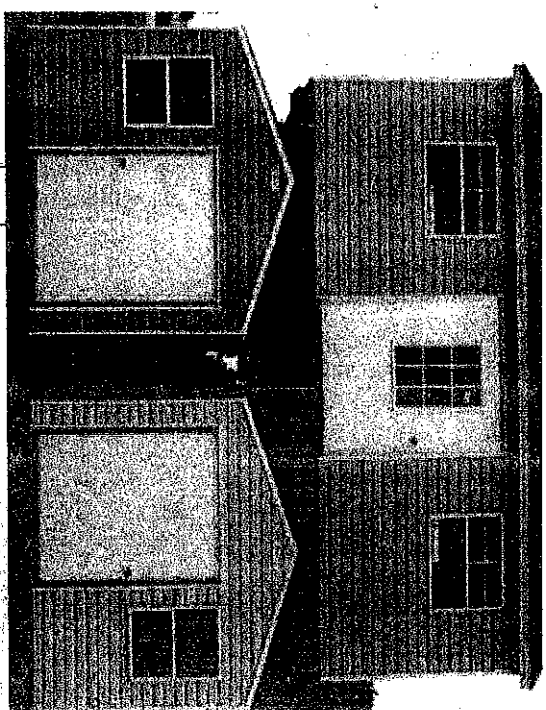
Fort Lauderdale
1325 S. State Road 7
Ft. Lauderdale, FL 33317
954-321-7717



Hialeah
9600 NW 77 Ave
Hialeah, FL 33016
305-231-1990



Palmetto Bay
18005 S. Dixie Highway
Miami, FL 33157



Something to Be Proud Of!

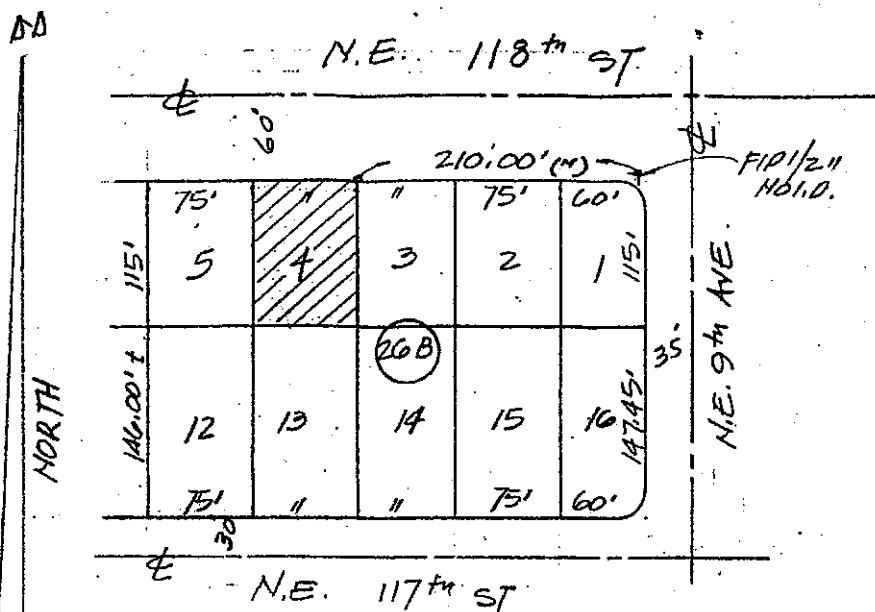
More than just a shed!

FLORIDA'S ONLY!

DCA

**APPROVED SHEDS
FOR**

**HIGH VELOCITY
HURRICANE ZONES
150 MPH**



LOCATION MAP.
H.T.S.

This property described as:
 Lot 4, Block 26B
 TRIFFING BISCAYNE PARK ESTATES,
 RESUBDIVISION OF BLOCKS 25 and 26,
 according to the Plat
 hereof, as recorded in
 Plat Book 10, Page 80
 of the Public Records of
 Dade County, Florida.

NOTE:

L.F. ELEV. = 9.00' denotes lowest
 habitable floor elevation.
 Elevations shown refer to "M.G.V.D."
 1929.

Lowest Adjacent Grade = 6.90'
 B.M. # B-56 ELEV. 9.79'

DADE CO.
 GARAGE ELEVATION = N/A

E.R.P. = 6.99'

Esquivel, Leonardo, and

PROPERTY OF: Schmidt, Kimberly A., 850 N.E. 118th Street, Biscayne Park,

NOT VALID WITHOUT THE SIGNATURE
 AND THE ORIGINAL RAISED SEAL OF
 A FLORIDA LICENSED SURVEYOR
 AND MAPPER

A BOUNDARY SURVEY

I hereby certify that the survey represented hereon meets the minimum technical standards set forth by the Board of Land Surveyors in chapter 61G17-6 Florida Administrative Code pursuant to Section 472.027, Fla. Statutes. There are no encroachments, overlaps, or easements appearing on the Plat, other than as shown hereto.

FL. PROF. SURVEYOR AND MAPPER NO. 4767
FRANCIS F. FATHIN, D.O.

Florida 33161

LANNES AND GARCIA, INC.

L.B. # 2098

SURVEYORS-MAPPERS-LAND PLANNERS

BEALE SMITH #5233

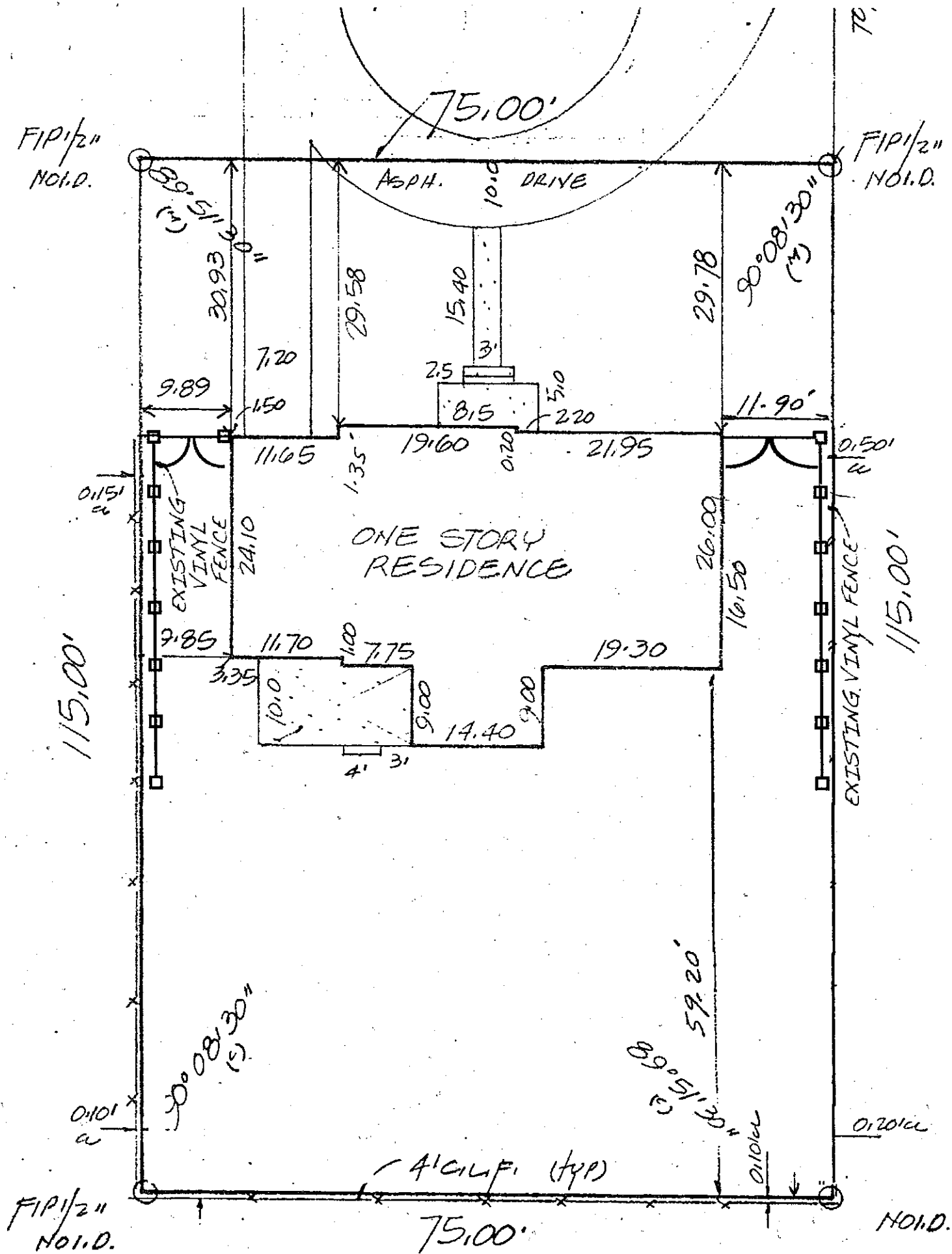
Office address: 359 Alcazar Avenue, Coral Gables, Florida 33134
 (305) 666-7909 (954) 523-8663

FIELD DATE
07/10/01

SCALE
1" = 20'

DRAWN BY
A.D.

DRWG. NO
130067



FIP 1/2" NO.I.D.

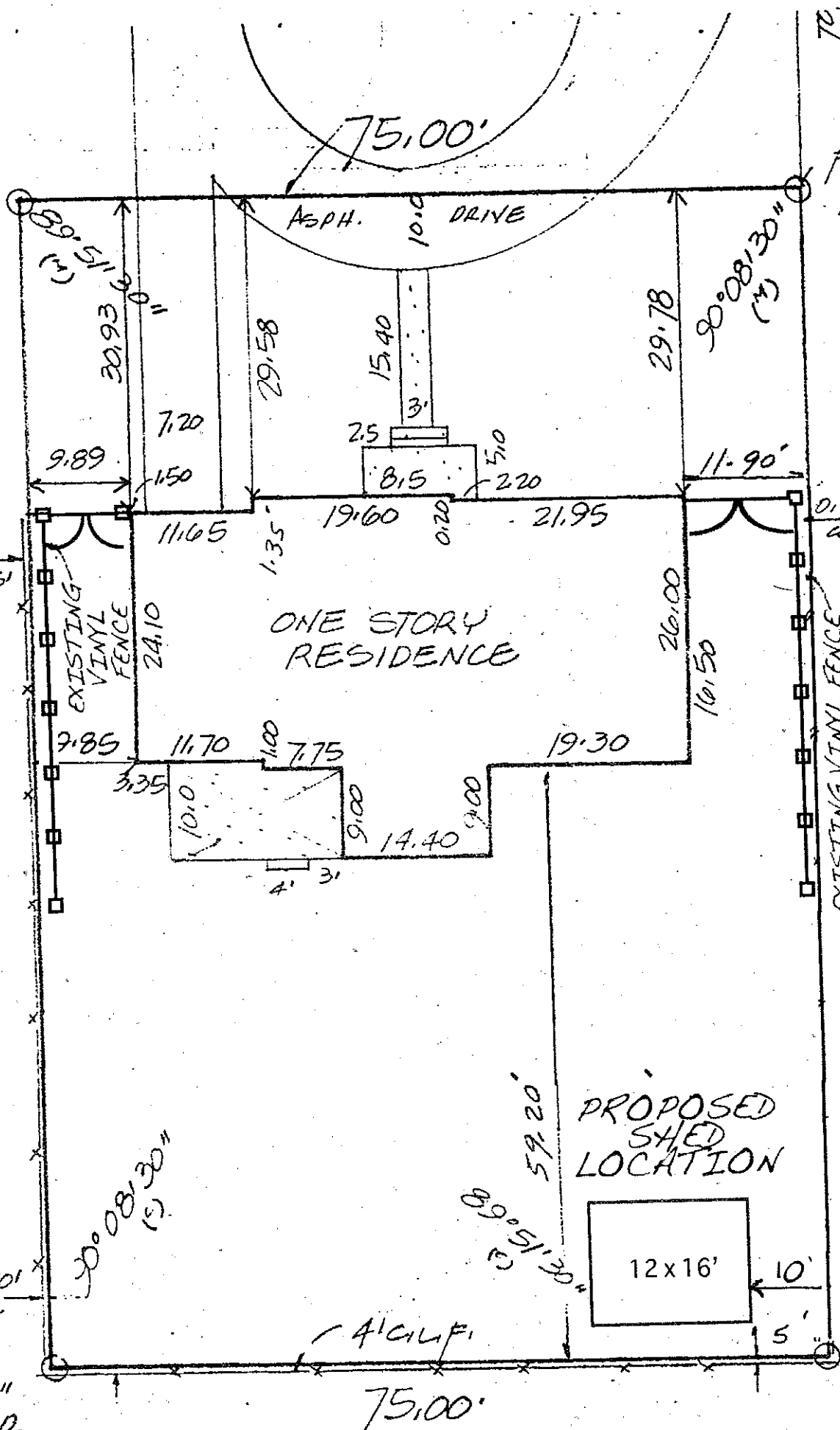
FIP 1/2" NO.I.D.

115.00'

115.00'

FIP 1/2" NO.I.D.

NO.I.D.





Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: Ordinance 2010-14

Background Analysis:

Section 166.241(3)(b), Florida Statutes, provides that the governing body of a municipality may establish procedures by which the designated budget officer may authorize certain budget amendments within a department, provided that the total of the appropriations of the departments is not changed. Authorizing the Village Manager to make certain inter-departmental budget amendments will promote government efficiency and avoid disruption in Village management and service to the community.

Fiscal/Budgetary Impact:

Planning a departmental budget cannot be an exact science. Yet the management of the bottom line can be accomplished successfully with the flexibility to reduce one line item and add to another if there is a need. Much is taken into consideration when putting a budget together and the availability of funds is a key factor, as well as looking at previous years and goals that are set for the new fiscal year. Yet we may budget \$1,200.00 for office supplies for Public Works in fiscal year 2009-10 (see attached) and budget \$2,500.00 for Public Works repair and maintenance of equipment, and then we find ourselves in a predicament where a couple of our mowers breakdown or the edger and or weed whacker need additional maintenance and the budgeted amount exceeds the cost to repair and or maintain what has been budgeted. This fiscal year we have received a donation of a new desk for Public Works, and a new conference table for Public Works, as well as pens and pencils, so we find savings to offset the unexpected expenditure in another line item.

As your manager and former department director for the past 13 years, I have managed multi million dollar budgets, both operating and capital budgets, and I have yet to exceed the bottom line. On the contrary, we have worked with our departments to be resourceful, to think outside the box, and to negotiate what we purchase and how we spend the Village funds.

Manager Recommendation:

We fully support and understand the necessity to receive commission approval to transfer funds from one department to another. With that said, we ask for your support and confidence to be able to manage efficiently and allow the Manager to work with the department directors and our Finance Director in approving necessary budget transfers within a department.

Manager recommends approval on first reading.

Manager Recommendation

Page 1 of 1

PUBLIC WORKS

Account Name			FY 2007-08 ACTUAL	FY 2008-09 ACTUAL	FY 2009-10 ADOPTED	YTD THROUGH 06/30/10	PROJECTED AS OF 9/30/10	Diff	FY 2010-11 VILLAGE MANAGER PROPOSED	Comments
534	12.01	Regular Salaries	122,910	99,319	109,209	70,373	93,831	15,378	159,868	Director, Foreman, Supervisor, Admin Asst, 1 Laborer
	13.01	Other Salaries & Wages	8,524	4,951	7,512	3,208	4,277	3,235	-	
	14.01	Overtime	1,381	930	-	389	519	(519)	600	Additional for special events and projects
	21.01	FICA Taxes & Medicare	8,661	6,523	7,124	4,588	6,117	1,007	12,230	Calculated at .0765
	21.02	Medicare	2,026	1,525	1,666	1,061	1,415	251	-	Included in FICA Taxes
	22.01	Retirement	15,591	10,474	11,319	7,285	9,713	1,606	17,585	Florida Retirement System (FRS) @ 11%
	23.01	Life & Health Benefits	31,354	21,279	23,118	14,127	16,694	6,424	25,009	Medical, Dental, Vision and Life (Full cost without employee contribution based on union contract)
	24.01	Workers Compensation	18,183	8,431	12,663	6,357	8,476	4,187	12,856	Calculated at \$8.040 per \$100
	25.01	Unemployment Comp	-	999	-	2,418	2,418	(2,418)	4,000	Payable @ \$275/week based on current unemployment comp guidelines
	26.01	Other Personnel Services	780	-	-	160	213	(213)	-	
TOTAL PERSONNEL			\$ 209,410	\$ 154,431	\$ 172,611	\$ 109,966	\$ 143,673	28,938	\$ 232,148	
534	31.08	Prof Services	-	-	-	-	-	0	6,000	Summer mowing
	34.03	Dump - Recycling	-	-	-	-	-	0	-	Moved to Sanitation Fund
	40.02	Dump	2,263	75	-	-	-	0	-	Moved to Sanitation Fund
	41.01	Telephone	2,447	2,484	1,470	3,514	4,686	(3,216)	3,000	1 line, 1 fax line at public works facility
	41.02	Radios	-	-	1,260	-	-	1,260	500	Public Works staff
	43.01	Electric	2,577	1,821	1,050	1,815	2,980	(1,930)	2,700	Public Works facility
	43.02	Water	951	745	420	3,251	4,750	(4,330)	4,700	Public Works facility, Sixth Avenue Median, Butterfly Park
	44.02	Rental/Lease Equip	5,092	2,802	3,500	2,677	3,569	(69)	4,000	Rental of high lifts as needed
	45.01	Insurance Auto	1,965	601	592	2,562	3,416	(2,824)	563	1 pick-up truck
	45.02	Liability Insurance	4,084	1,698	2,661	-	-	2,661	2,700	General liability insurance
	46.01	R&M Vehicles	5,264	274	1,000	253	337	663	500	1 pick-up truck
	46.02	R&M Equipment	3,172	3,354	5,000	2,183	2,911	2,089	2,500	Public Works facility equipment
	46.03	R&M Building	13,316	18,289	15,000	3,557	4,743	10,257	6,000	All Village buildings
	46.05	R&M Field	-	10,335	15,000	-	-	15,000	-	Moved to Recreation
	00.00	R&M Improvements	-	-	-	-	-	0	5,000	Landscaping
	49.05	Truck Washing	-	-	100	-	-	100	-	
	51.01	Office Supplies General	1,453	1,399	1,500	160	214	1,286	1,200	Standard office supplies utilizing User Access Program pricing with the County
	52.01	Operating Supplies	11,381	8,875	7,500	6,365	8,389	(889)	7,000	Other supplies needed utilizing User Access Program pricing with the County
	52.02	Gas & Oil	16,191	1,949	2,600	18,574	2,300	300	2,000	1 pick-up truck and off road vehicles
	52.03	Tires & Tire Repair	777	-	500	287	383	117	125	1 pick up truck and off road vehicles
	52.04	Uniforms Rental	2,649	2,066	1,918	1,383	1,843	75	1,750	Uniform rental 4 staff
	54.01	Dues & Subscriptions	-	-	-	40	53	(53)	-	
TOTAL OPERATIONS			\$ 73,582	\$ 56,767	\$ 61,071	\$ 46,621	\$ 40,574	20,497	\$ 49,238	
534	62.01	Buildings	1,335	1,820	-	2,365	-	0	-	
	63.02	Landscaping	11,262	33,947	10,000	3,516	-	10,000	-	
	64.02	Machinery & Equipment	-	-	-	(39)	-	0	-	
TOTAL CAPITAL OUTLAY			\$ 12,597	\$ 35,767	\$ 10,000	\$ 5,842	\$ -	\$ 10,000	\$ -	
534	74.01	Lease Purchase	12,091	-	-	-	-	0	-	
TOTAL DEBT SERVICE:			\$ 12,091	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
534	TOTAL PUBLIC WORKS		\$ 307,680	\$ 246,965	\$ 243,682	\$ 162,429	\$ 184,247	\$ 59,435	\$ 281,386	

Diff between 2009-10 Adopted ==>	37,704
Percentage Decrease ==>	15.5%

ORDINANCE NO. 2010-14

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE VI ENTITLED "FINANCE" BY ADDING SECTIONS 2-76 "DEFINITIONS" AND 2-77 "AUTHORITY TO MAKE INTRADEPARTMENTAL BUDGET AMENDMENTS BY VILLAGE MANAGER" TO ESTABLISH PROCEDURES BY WHICH THE VILLAGE MANAGER MAY AUTHORIZE AMENDMENTS WITHIN DEPARTMENT BUDGETS WITHOUT VILLAGE COMMISSION APPROVAL; AMENDING CHAPTER 2, ARTICLE VIII TO HAVE REFERENCES TO THE DIRECTOR OF FINANCE REPLACED WITH VILLAGE MANAGER THROUGHOUT ARTICLE VIII AND AMENDING CHAPTER 2, ARTICLE VIII REFERENCING BUDGET APPROPRIATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in accordance with the laws of the State of Florida, any amendments to the adopted fiscal year budget must be approved by the governing body of the municipality; and

WHEREAS, Section 166.241(3)(b), Florida Statutes, provides that the governing body of a municipality may establish procedures by which the designated budget officer may authorize certain budget amendments within a department, provided that the total of the appropriations of the department is not changed; and

WHEREAS, authorizing the Village Manager to make certain intradepartmental budget amendments will promote government efficiency and avoid disruption in Village management and service to the community; and

WHEREAS, the Village Commission has determined that it would be good management practice to give the Village Manager or his/her designee some authority to make budget amendments within department budgets without Village Commission

approval, provided that the total of the appropriations of the department is not changed;
and

WHEREAS, in order to provide for such authority the Village's Purchasing and Procurement Ordinance must be amended;

WHEREAS, the Village Commission also finds it in the best interest of the Village to amend the Purchasing and Procurement Ordinance to replace references to the Director of Finance with Village Manager or designee consistent with the Village charter; now, therefore

BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Chapter 2, Article VI entitled "Finance" of the Code of Ordinances of the Village of Biscayne Park is hereby amended to create Section 2.76 entitled "Definitions" and Section 2.77 "Authority to Make Intradepartmental Budget Amendments by Village Manager" as follows:

Sec. 2-76. Definitions

For purposes of this Article, "Operational Expenses" shall mean appropriations for materials, supplies and services related to Village operations, other than salaries, benefits, capital outlay or contingency.

Sec. 2-77. Authority to Make Intradepartmental Budget Amendments by Village Manager.

During the fiscal year it may become necessary to adjust budgets of various line items within a Department. The following procedure will govern this amendment process:

1. The Village Manager or his/her designee shall have the authority to make intradepartmental budget amendments that reallocate appropriations amongst a

department's line item appropriations for Operational Expenses provided that the total appropriations for Operational Expenses is not changed.

2. All other budget amendments involving salaries, benefits, capital outlay or contingency must be approved by the Village Commission.
3. The Village Manager shall present a monthly written report on the status of the Village's budget to the Commission. At a minimum, this report will generally include, but not be limited to, revenues by category and expenditures by department for each Village Fund.

Chapter 2, Article VIII of the Code of Ordinances of the Village of Biscayne Park
is hereby amended as follows:

Sec. 2-134. Establishment of purchasing agent.

The ~~director of finance~~ Village Manager or his/her designee shall be the chief purchasing agent of the village. Subject to the terms of this article and except as otherwise provided for in section 2-136, the purchasing agent shall contract for, procure or so process the procurement, purchase, storage and distribution of all supplies, materials, equipment and certain contractual services required by any office, department or agency of the village. The purchasing agent shall establish and enforce specifications, inspect or supervise the inspection of all deliveries and have full and complete charge of, and be responsible for, all supplies, materials, and equipment purchased for or belonging to the village.

Sec. 2-136. Purchasing limitations; competitive bidding.

(a) *Purchases less than two thousand five hundred dollars (\$2,500.00).* Purchases of or contracts for materials, supplies, equipment, improvements or services for which funds are provided in the budget, where the total amount to be expended is not in excess of two thousand five hundred dollars (\$2,500.00), may be made or entered into by any department director without submittal to the village commission and without competitive bidding. Single purchases or contracts in excess of two thousand five hundred dollars (\$2,500.00) shall not be broken down to amounts less than two thousand five hundred dollars (\$2,500.00) to avoid the requirements of this subsection.

(b) *Purchases more than two thousand five hundred dollars (\$2,500.00) but less than ten thousand dollars (\$10,000.00).* Purchases of or contracts for materials, supplies, equipment, improvements or services for which funds are provided in the budget, where the total amount to be expended is in excess of two thousand five hundred dollars (\$2,500.00) but which does not exceed ten thousand dollars (\$10,000.00), may be made or entered into by the ~~director of finance~~ Village Manager or his/her designee without submittal to the village commission and without competitive bidding, but shall require that the ~~director of finance~~ Village Manager or his/her designee obtain quotes from at

least three (3) different vendors. The ~~director of finance~~ Village Manager or his/her designee shall award the bid to the lowest, most responsive, responsible bidder. Single purchases or contracts in excess of ten thousand dollars (\$10,000.00) shall not be broken down to amounts less than ten thousand dollars (\$10,000.00) to avoid the requirements of this subsection.

(c) *Purchases in excess of ten thousand dollars (\$10,000.00).* The village commission shall approve all purchases of or contracts for materials, supplies, equipment, public improvements or services where the total amount to be expended is more than ten thousand dollars (\$10,000.00). Purchases in excess of ten thousand dollars (\$10,000.00) shall be in compliance with the competitive bidding requirements set forth in section 2-137.

(d) *Exceeding budget appropriation.* Except as provided for in Chapter 2, Article VI, the director of finance Village Manager or his/her designee may not purchase or contract for any item or service which exceeds any budget appropriation until such a time as the village commission amends the budget to increase the appropriation to the applicable level.

Sec. 2-137. Competitive bidding procedure.

(a) Whenever competitive bidding is required by this article, the ~~director of finance~~ Village Manager or his/her designee shall direct that bid proposals which provide specifications for the purchase or contract be prepared.

(b) The ~~director of finance~~ Village Manager or his/her designee shall solicit sealed bids from at least three (3) persons or entities engaged in the business of furnishing such materials, supplies, equipment and public improvements or rendering such services.

(c) The ~~director of finance~~ Village Manager or his/her designee may publish a public invitation to bid.

(d) Bids shall be awarded to the lowest, most responsive, responsible bidder, as determined by the village commission and/or the ~~director of finance~~ Village Manager or his/her designee as the case may be, subject to the right of the village to reject any and all bids, to waive any irregularity in the bids or bidding procedures and subject also to the right of the village to award bids and contracts to bidders other than the low bidder.

Sec. 2-138. Bid opening procedure; awarding of bids.

(a) Sealed bids shall be opened by the ~~director of finance~~ Village Manager or his/her designee or their appointed representative and recorded by the ~~director of finance~~ Village Manager or his/her designee or their representative on the date and time specified in the bid proposal.

(b) Whenever required by the bid proposal, all bid bonds, cash, insurance, checks or other security accompanying the bid shall be received and maintained for safekeeping by

~~the director of finance~~ Village Manager or his/her designee. ~~The director of finance~~ Village Manager or his/her designee shall be responsible for the return of the bid bonds, cash, insurance, checks or other security of unsuccessful bidders.

(c) Upon completion of the bid opening reading, all bids received will be deposited with the ~~director of finance~~ Village Manager or his/her designee for tabulation and/or recommendation to the village commission.

(d) Upon submission of the bid tabulation and recommendation to the ~~director of finance~~ Village Manager or his/her designee or village commission, as the case may be, the ~~director of finance~~ Village Manager or his/her designee or the village commission shall either accept, reject or refer for additional review the bid tabulation and recommendation.

Sec. 2-139. Waiver of competitive bidding procedures.

The village commission may, by majority vote, waive the competitive bidding procedures outlined in this article upon the recommendation of the ~~director of finance~~ Village Manager or his/her designee that it is in the best interest to do so, to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services or other factors.

Sec. 2-140. Governmental contracts.

The ~~director of finance~~ Village Manager or his/her designee is hereby authorized to enter into bids or contracts entered into by other governmental authorities provided that the governmental authority has followed a competitive bidding procedure leading to the award of the bid or contract in question which is substantially similar to the competitive bidding procedure outlined in this article.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in its entirety.

Section 5. Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Village of Biscayne Park, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

The foregoing ordinance upon being put to a vote, the vote was as follows:

Roxanna Ross, Mayor

Attest:

Mayor Ross _____
Vice Mayor Cooper _____
Commissioner Anderson _____
Commissioner Bernard _____
Commission Childress _____

Village Clerk

Approved as to form:

John J. Hearn, Village Attorney



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: Ordinance 2010-14

Memorandum and backup documentation to be provided separately.

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ORDINANCE NO. 2010-16

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE
VILLAGE OF BISCAYNE PARK, FLORIDA, PURSUANT TO
SECTION 166.041, FLORIDA STATUTES, TO AMEND
ORDINANCE 2009-6 ADOPTED ON SEPTEMBER 22, 2009
FINALIZING AND ADOPTING THE ANNUAL OPERATING
BUDGET FOR FISCAL YEAR 2009-2010, BY AMENDING
VARIOUS PARTS OF THE BUDGET CONSISTENT WITH
EXHIBIT "A", ATTACHED HERETO; PROVIDING FOR
CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE**

15 WHEREAS, in accordance with the Village of Biscayne Park's Charter and all laws of
16 the State of Florida, on September 22, 2009, the Village Commission finalized and adopted its
17 operating budget for Fiscal Year 2009-2010, which is incorporated herein; and

18 WHEREAS, the Village Commission acknowledges that amendments are required to the
19 Annual Operating Budget for Fiscal Year 2009-2010, as designated in Exhibit "A", attached
20 hereto;

21 NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE
22 VILLAGE OF BISCAYNE PARK, FLORIDA,;

23
24 **Section 1.** Each and all the foregoing Whereas clauses are true and correct and are
25 incorporated herein.

26 **Section 2.** That the Annual Operating Budget Fiscal Year 2009-2010, approved by
27 the Village Commission on September 22, 2009, is amended as designated in Exhibit "A",
28 attached hereto.

29 **Section 3.** The Village Commission hereby ratifies and confirms all other provisions
30 of Ordinance 2009-6.

1 **Section 4. Conflicts.** That all Ordinances or parts of Ordinances, Resolutions or
2 parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such
3 conflict.

4 **Section 5. Severability.** The provisions of this Ordinance are declared to be
5 severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be
6 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining
7 sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it
8 being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any
9 part.

10 **Section 6. Effective Date.** This Ordinance shall be effective upon adoption at
11 second reading.

12
13 The foregoing Ordinance was offered by Commissioner _____, who
14 moved its adoption. The motion was seconded by _____ and upon being put
15 to a vote, the vote was as follows:

16 **The foregoing ordinance upon being put**
17 **to a vote, the vote was as follows:**

18
19
20 _____
21 Roxanna Ross, Mayor

22
23
24 Attest:

25
26
27 _____
28 Village Clerk

Mayor Ross _____
Vice Mayor Cooper _____
Commissioner Anderson _____
Commissioner Bernard _____
Commission Childress _____

1 Approved as to form:
2
3

4 _____
5 John J. Hearn, Village Attorney
6
7



Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161

Tel: 305 899 8000
Fax: 305 891 7241

Mayor and Commission

Roxanna Ross
Mayor

Bryan Cooper
Vice Mayor

Robert "Bob" Anderson
Commissioner

Steve Bernard
Commissioner

Albert Childress
Commissioner

Ana Garcia
Village Manager

John J. Hearn
Village Attorney

Maria Camara
Village Clerk

December 1, 2010

To: Mayor Roxana Ross
Vice Mayor Bryan Cooper
Commission Bob Anderson
Commissioner Steve Bernard
Commissioner Al Childress

From: Ana Garcia, Village Manager

Re: Ordinance 2010-13

Background Analysis:

Section 17.4 of the Village's Land Development Code authorizes the imposition of solid waste management fees which funds the cost of providing solid waste services to the residents of the Village of Biscayne Park.

Fiscal/Budgetary Impact:

On May 25, 2010, the Village Commission approved the assessment fee of \$558.00 per assessed property. The total assessment from the solid waste management fee through the Village is estimated to be \$727,074.00.

For the first time in the last ten years, the Village is not raising the annual assessment fee from the previous year. This item has been analyzed and discussed numerous times throughout the budget process.

Manager Recommendation:

Manager recommends approval at second reading.

Manager Recommendation

Page 1 of 1

Following Ordinance No.
2010-13 is a copy of the
same ordinance highlighting
the changes made since the
first reading that were
discussed at the October 5,
2010 regular Commission
meeting.

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AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE OF BISCAYNE PARK, FLORIDA; APPROVING THE SCHEDULE FOR SOLID WASTE COLLECTION AGAINST ASSESSED PROPERTY LOCATED WITHIN THE VILLAGE OF BISCAYNE PARK FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 17.4 of the Village's Land Development Code authorizes the imposition of solid waste management fees; and

WHEREAS, the purpose of the solid waste management fee assessment is to fund the cost of providing solid waste services; and

WHEREAS, the imposition of a solid waste management fee assessment is an equitable and efficient method of allocating and apportioning solid waste collection assessed costs among residential units; and

WHEREAS, consistent with Section 17.4 of the Village's Land Development Code, the Village Commission desires to impose a solid waste management fee assessment within the Village for the fiscal year beginning on October 1, 2010, using the tax bill collection methods; and

WHEREAS, on May 25, 2010, the Village Commission approved the assessment fee of \$558.00 per residential unit; and

WHEREAS, the total assessment from the solid waste management fee assessment throughout the Village is estimated to be \$727,074.00; now, therefore

1 BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF
2 BISCAYNE PARK, FLORIDA, AS FOLLOWS:

3 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
4 being true and correct and are hereby made a specific part of this Ordinance upon adoption
5 hereof.

6 **Section 2.** Authority. This Ordinance is adopted pursuant to provisions of Section
7 17.4 of the Land Development Code and Sections 166.021 and 166.041, Florida Statutes, and
8 other applicable provisions of law.

9 **Section 3.** Imposition of Solid Waste Management Fee Assessment.

10 (A) Residential units include all residential properties within the Village except for
11 buildings containing four (4) or more contiguous dwelling units that have contracted with a
12 County approved contractor.

13 (B) The assessed properties are hereby found to be specially benefitted by the
14 provision of the solid waste collection services in the amount of the solid waste management fee
15 assessment of \$558.00 per residential unit and are determined to be fairly and reasonably
16 apportioned.

17 (C) For the fiscal year beginning October 1, 2010, the total solid waste management
18 fee assessment throughout the Village is estimated to be \$727,074.00.

19 (D) The solid waste management fee assessment for solid waste collection services is
20 hereby approved and shall continue to be the current schedule for solid waste collection,
21 transportation, separation and disposal service in subsequent years unless and until a new
22 management fee assessment is established by separate ordinance.

(E) The solid waste management fee assessment shall constitute a lien upon the real property, so assessed equal in rank and dignity with the liens of all state, county, district and municipal taxes and other non-ad valorem assessment.

Section 4. Effect and Adoption of Ordinance. The adoption of this Ordinance shall be the final adjudication of the issues presented unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty calendar days from the date of this assessment.

Section 5. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. **Repeal of Conflicting Provisions.** To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in its entirety.

Section 7. **Effective Date.** This Ordinance shall be effective upon adoption at second reading retroactive to October 1, 2010.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

**The foregoing ordinance upon being put
to a vote, the vote was as follows:**

Roxanna Ross, Mayor

Mayor Ross _____
Vice Mayor Cooper _____

Commissioner Anderson _____
Commissioner Bernard _____
Commission Childress _____

Attest:

Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE VILLAGE COMMISSION OF
THE VILLAGE OF BISCAYNE PARK, FLORIDA,
RELATING TO THE PROVISION OF SOLID WASTE
MANAGEMENT FEE ASSESSMENTS IN THE VILLAGE
OF BISCAYNE PARK, FLORIDA; APPROVING THE
SCHEDULE FOR SOLID WASTE COLLECTION AGAINST
ASSESSED PROPERTY LOCATED WITHIN THE VILLAGE
OF BISCAYNE PARK FOR THE FISCAL YEAR
BEGINNING ON OCTOBER 1, 2010; PROVIDING FOR
CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, Section 17.4 of the Village's Land Development Code authorizes the
imposition of solid waste management fees; and

WHEREAS, the purpose of the solid waste management fee assessment is to fund the
cost of providing solid waste services; and

WHEREAS, the imposition of a solid waste management fee assessment is an equitable
and efficient method of allocating and apportioning solid waste collection assessed costs among
residential units; and

Deleted: parcels of assessed property

WHEREAS, consistent with Section 17.4 of the Village's Land Development Code, the
Village Commission desires to impose a solid waste management fee assessment within the
Village for the fiscal year beginning on October 1, 2010, using the tax bill collection methods;
and

WHEREAS, on May 25, 2010, the Village Commission approved the assessment fee of
\$558.00 per residential unit; and

Deleted: assessed property

WHEREAS, the total assessment from the solid waste management fee assessment
throughout the Village is estimated to be \$727,074.00; now, therefore

1 BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF
2 BISCAYNE PARK, FLORIDA, AS FOLLOWS:

3 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
4 being true and correct and are hereby made a specific part of this Ordinance upon adoption
5 hereof.

6 **Section 2.** Authority. This Ordinance is adopted pursuant to provisions of Section
7 17.4 of the Land Development Code and Sections 166.021 and 166.041, Florida Statutes, and
8 other applicable provisions of law.

9 **Section 3.** Imposition of Solid Waste Management Fee Assessment.

10 (A) Residential units include all residential properties within the Village except for
11 buildings containing four (4) or more contiguous dwelling units that have contracted with a
12 County approved contractor.

13 (B) The assessed properties are hereby found to be specially benefitted by the
14 provision of the solid waste collection services in the amount of the solid waste management fee
15 assessment of \$558.00 per residential unit and are determined to be fairly and reasonably
16 apportioned.

17 (C) For the fiscal year beginning October 1, 2010, the total solid waste management
18 fee assessment throughout the Village is estimated to be \$727,074.00.

19 (D) The solid waste management fee assessment for solid waste collection services is
20 hereby approved and shall continue to be the current schedule for solid waste collection,
21 transportation, separation and disposal service in subsequent years unless and until a new
22 management fee assessment is established by separate ordinance.

Deleted: A

Deleted: assessed property

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Deleted: .

(E) The solid waste management fee assessment shall constitute a lien upon the real property, so assessed equal in rank and dignity with the liens of all state, county, district and municipal taxes and other non-ad valorem assessment.

Section 4. Effect and Adoption of Ordinance. The adoption of this Ordinance shall be the final adjudication of the issues presented unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty calendar days from the date of this assessment.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in its entirety.

Section 7. Effective Date. This Ordinance shall be effective upon adoption at second reading retroactive to October 1, 2010.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

The foregoing ordinance upon being put to a vote, the vote was as follows:

Roxanna Ross, Mayor

Mayor Ross _____
Vice Mayor Cooper _____

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Commissioner Anderson _____
Commissioner Bernard _____
Commission Childress _____

Attest:

Village Clerk

Approved as to form:

John J. Hearn, Village Attorney

PLANNING & ZONING

Meets the 1st and 3rd Monday at 6:30PM

	Member	Appointed By	Comment
1	Gage Hartung	Childress	
2	Barbara Watts	Cooper	
3	Andrew Olis	Bernard	
4	Doug Tannehill	Ross	
5	Elizabeth Hornbuckle	Anderson	
6	Mario Rumiano		< Alternate >
7	Carl Bickel		< Alternate >
	Fred Jonas	Ross	Resigned.

Code Enforcement

Meets the 3rd Tuesday at 7:00PM

1	Harvey Bilt	Anderson	
2	Dale Blanton	Bernard	
3	David Coviello	Childress	
4	Carmen DiBernardi	Ross	
5	Dario Salazar	Cooper	
6	Kelli Rumiano	Anderson	< Alternate >
7	Milt Hunter	Anderson	< Alternate >
	Victor Cannon	Cooper	Resigned.
	Ray Irizzary	Ross	Resigned.

Code Review

Meets the 2nd & 4th Tuesday at 7:00PM

1	Gage Hartung	Auto from P&Z	
2	Andrew Olis	Auto from P&Z	
3	Gary Kuhl	Anderson	
4	Dale Blanton	Auto from Code Enf	
5	David Coviello	Auto from Code Enf	
6	Carmen DiBernardi	Auto from Code Enf	
7	Kelli Romano	Auto from Code Enf	
8	Ray Irizzary	Auto from Code Enf	
9	Judi Hamelburg	Bernard	
	Fred Jonas	Auto from P&Z	Resigned
	Harvey Bilt	Auto from Code Enf	Resigned, but remains on Code Enf.
	Milt Hunter	Auto from Code Enf	Resigned, but remains on Code Enf.
	Victor Cannon	Auto from Code Enf	Resigned

Recreation Advisory Board

Meets the 2nd Wednesday at 6:30PM

1	James Murphy	Bernard	
2	John Holland	Cooper	
3	Helga Silva	Ross	
4	Rachel O'Conner		Previous alternate that replaced Vicki O'Brien.
5		Anderson	Pending new appointment.
	Ron Gwynn	Anderson	Resigned
	Vicki Mallette O'Brien	Childress	Resigned.

Parks & Parkway Advisory Board

Meets the 3rd Wednesday at 6:00PM

1	Dan Keys	Anderson	
2	Barbara Kuhl	Childress	
3	Randy Wagoner	Ross	
4	John Zoeller	Bernard	
5		Cooper	Pending new appointment or selection of alternate.
6	Lynn Fisher		< Alternate >
7	Mary Ann Jones		< Alternate >
	David Tunnel	Cooper	Resigned.
	Anne Marie Jonckheer	Bernard	Resigned.
	Barbara Kiers	Cooper	Resigned.
	Jane Ansley		Resigned. (Alternate)

Ecology Board

Meets the 4th Wednesday at 7:00PM

1	Victor Romano	Anderson	
2	Matt Davis	Bernard	
3	Art Pyle	Childress	
4	Tom Pliske	Cooper	
5	Tracy Truppman	Ross	
6	Linda Carrington		< Alternate >
	Linda Domin		Will participate on special projects only.



Date: 12/1/2010

To: Commissioners: Bob Anderson, Steve Bernard, Al Childress and Bryan Cooper
Manager Ana Garcia

From: Mayor Rox Ross

Re: Ordinance Addressing Fences, Walls and Hedges, and Corner Lot Side Yards

REQUEST:

Review draft legislation addressing fences, walls, hedges, and corner lot sideyards; reach consensus on language for proposed ordinance to be place on the next agenda for First Reading.

BACKGROUND AND ANALYSIS:

The Village Commission is aware that over time citizens have had issues reconciling their desires to improve and update their properties, with what at times seems to be an outdated Village Code. In an effort to update the Village Code, an ad hoc Code Review Committee ("CRC") was appointed by the Commission, and charged with review and proposal of updates to the Village Code, particularly the Land Development Code. The CRC held its first meeting April 9, 2008, and since that time the CRC has met regularly endeavoring to accomplish its task.

One of my goals has been to encourage the CRC to complete its, admittedly arduous, review of the Village Code and report to the Commission on its recommendations. Then, to lead the Commission to take appropriate steps to implement all necessary changes to update the Village Code. Permitting and maintenance of fences, walls and hedges are some of the more common issues that arise in the Village. Therefore, CRC has first provided suggested changes to the Land Development Code addressing these sections.

The Village Attorney has drafted a proposed ordinance which includes the suggested changes suggested by the CRC, in brief: (a) defining fences, hedges and corner sideyards, (b) amending height restrictions and permissible materials, and (c) addressing corner lot sideyards.

FISCAL/BUDGETARY IMPACT:

The cost of advertising and passage of an ordinance to address these common concerns raised by Village residents is negligible when compared to the benefit of affording our residents the opportunity to improve and maintain their properties in an aesthetically pleasing manner.

RECOMMENDATION:

Approve an ordinance to address these common concerns raised by our residents with regard to fences, walls, hedges and corner sideyards, and place the item on the next agenda for First Reading.

ORDINANCE NO. 2010-

**AN ORDINANCE OF THE VILLAGE COMMISSION
OF THE VILLAGE OF BISCAYNE PARK, FLORIDA,
AMENDING CHAPTER 2 OF THE VILLAGE OF
BISCAYNE PARK LAND DEVELOPMENT CODE
ENTITLED "DEFINITIONS" BY ADDING
DEFINITIONS FOR FENCES AND CORNER SIDE
YARDS AND AMENDING THE DEFINITION OF
HEDGE; AMENDING CHAPTER 11 OF THE
VILLAGE OF BISCAYNE PARK LAND
DEVELOPMENT CODE ENTITLED "ACCESSORY
STRUCTURES ", BY AMENDING SECTION 11.6
AND REMOVING HEIGHT RESTRICTIONS FOR
HEDGES; ADDRESSING CORNER SIDE FENCES
AND WALLS, HEIGHT, AND RELATED CHANGES;
PROVIDING FOR SEVERABILITY; PROVIDING
FOR INCLUSION; PROVIDING FOR CONFLICT;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Code Review Committee has provided suggested changes to the Village Land Development Code which address fences, walls and hedges; and

WHEREAS, the Village Commission is aware that citizens have had issues when attempting to locate corner side fences and certain fence materials on their property; and

WHEREAS, the Village Commission deems it to be in the best interests of the citizens of Biscayne Park to amend the Village's Land Development Code to add certain definitions and to address fences, walls, and hedges; now, therefore

BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Chapter 2 of the Village of Biscayne Park Land Development Code is hereby amended to read as follows:

* * *

~~2.2.26 F.S.:~~ The abbreviation "F.S." shall mean the latest edition or supplement of the Florida Statutes.

2.2.26 Fence: An artificially constructed barrier, including gates, erected to enclose, screen or separate an area.

* * *

~~2.2.31 Hedge:~~ ~~A dense row of shrubs or low trees in excess of eight (8) feet in length which constitutes a barrier.~~ A continuous planting of shrubs constituting a visual screen serving a function similar to a fence or wall.

* * *

2.2.70 Yard: An open space on the same lot with a building, said space being unoccupied and unobstructed from the ground upward, except as otherwise permitted herein. A front, rear or side yard shall be defined as that open space adjoining a front, rear, or side lot line respectively.

~~2.2.71 Year:~~ The word "year" shall mean a calendar year, unless otherwise specified.

2.2.71 Yard, corner side: The open space between the closest point of the principal building and the side line of the lot which abuts a street.

Section 3. Chapter 11 of the Village of Biscayne Park Land Development

Code is hereby amended to read as follows:

* * *

11.6 Fences, and walls and hedges.

11.6.1 Location.

(a) All fences, and walls and hedges may be located within any yard including upon the property line thereof. No such wall, and fence or hedge shall extend beyond an official right-of-way line.

(b) When a fence, or wall or hedge is placed on a property line, whether it be on an alley or a ~~front~~ corner side property line, at least forty (40) square feet, a minimum of four (4) feet deep, of open space must be left for the storage of trash.

(c) All fences and walls require a permit and approval by the Planning Board.

11.6.2 Height.

(a) ~~The height of any hedge shall not exceed four (4) feet when located between the building and any paved street.~~ When located between the building and other property

lines, fences and walls shall not exceed six (6) feet in height. ~~and hedges shall not exceed eight (8) feet in height.~~

(b) Fences and walls shall be permitted on corner side yards and shall be permitted to extend towards the corner side yard property line as long as they do not exceed a height of 4 feet.

~~(b)~~ (c) The inside through lots on Northeast 11 Place from Northeast 119 Street to Northeast 121 Street shall be allowed the six-foot height from the building to and parallel to the rear property line.

(d) Properties abutting the FEC corridor shall be permitted to erect a fence or wall up to eight (8) feet in height only on the side abutting the FEC corridor.

~~(e) The existing hedges on Lot 30, Block 23 of Biscayne Park Estates amended shall not be affected by the height requirement only for so long as the garbage and trash trucks are parked there. When the trucks are no longer allowed there, the hedges shall conform to all the provisions of this chapter.~~

~~11.6.3 Construction.~~ ~~Fences and walls may be constructed of aluminum, wood, concrete, chain link, ornamental metal, vinyl, composite material or wire, and shall be constructed so as to be non-climbable. Material to be approved by the Planning Board.~~

~~———— (a) Wood fences shall be constructed according to the South Florida Building Code.~~

~~———— (b) Walls may be constructed of the following materials and must conform to the construction requirement of the South Florida Building Code.~~

~~———— (i) Coral rock.~~

~~———— (ii) Concrete block stuccoed on both sides with a concrete cap and combined with one (1) or more of the other construction materials listed in this subsection or ornamental wrought iron, ornamental aluminum, cast iron or cast aluminum or other stucco treatments designed to impact additional architectural interest.~~

~~———— (iii) Slump brick.~~

~~———— (iv) Used red bricks, limed red bricked or cement bricks appropriately painted.~~

~~———— (e) Wire fences shall be of chain link or diamond weave of heavy galvanized material or material of equal strength and shall have top rails. All posts shall be set in concrete so as to be secure and safe.~~

~~———— (d) All parts of the fence, including uprights, posts and vertical and horizontal and structural supports shall be on applicant's side of the fence or wall. No part of the fence or wall shall protrude into the adjacent property or public right-of-way.~~

~~———— (e) Plans for fences shall be submitted with each application for building permit and must be so designed to be suitable and compatible with surrounding areas.~~

11.6.3 Construction.

(a) Fences and walls shall be constructed in conformity with the Florida Building Code.

(b) Plans for fences and walls must be submitted with each application for a building permit. All permits shall be reviewed by the Planning Board for suitability and compatibility with surrounding areas, for materials, and for consistency with this Chapter.

(c) Fences may be constructed of any of the following materials: aluminum, wood, concrete, chain link, ornamental metal, vinyl, composite material or wire. Wire fences shall be of chain-link or diamond weave of heavy galvanized material or material of equal strength and have top rails. All posts shall be set in concrete so as to be secure and safe.

(d) Walls may be constructed of any of the following materials: coral rock, concrete block, slump brick, used red bricks, limed red bricks, or cement bricks appropriately painted. Concrete block must be stuccoed on both sides with a concrete cap and combined with one or more of the other construction materials listed in this subsection or ornamental wrought iron, ornamental aluminum, cast iron or cast aluminum or other stucco treatments designed to impact additional architectural interest.

(e) All parts of the fence or wall, including uprights, posts and vertical and horizontal and structural supports shall be on applicant's side of the fence or wall. No part of the fence or wall shall protrude into the adjacent property or public right-of-way.

11.6.4 ~~Chain-link, wooden~~ Fences, and walls prohibited in certain areas.

(a) ~~Chain-link, wooden~~ Fences, and walls shall not be permitted when they extend farther toward the front street property line than the front corner of the building closest to the side property line. ~~No fence in front as per standing code.~~

(b) Corner side yard fences shall not be permitted to extend into the front yard as defined above. Chain link is not permitted on corner side yards.

(c) ~~All fences that are existing at the time of adoption of Ordinance 244 (5, 1988) shall be allowed to remain until such time that they deteriorate.~~

11.6.5 Electric or barbed wire prohibited. No fence shall be constructed with barbed wire and no fence charged with electricity shall be erected.

Section 3. Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion hereof be held or declared by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall be

considered as eliminated and shall not affect the validity of the remaining portions or applications of this Ordinance.

Section 4. Codification. It is the intention of the Village Commission of the Village of Biscayne Park, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the Village of Biscayne Park, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or other word or phrase in order to accomplish such intention.

Section 5. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

**The foregoing ordinance upon
being put to a vote, the vote was as
follows:**

Roxanna Ross, Mayor

Attest:

Mayor Ross _____
Vice Mayor Cooper _____
Commissioner Anderson _____
Commissioner Bernard _____
Commission Childress _____

Maria Camara, Village Clerk

Approved as to form:

John J. Hearn, Village Attorney



MIAMI-DADE COUNTY LEAGUE OF CITIES

226 East Flagler Street • Suite 200 • Miami, FL 33131
Phone 305.416.4155 Fax 305.416.4157 www.mdclc.org

Richard Kuper, Esq.
Executive Director

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Hon. Eduardo Muhita
Mayor, West Miami

September 16, 2010

The Honorable Roxanna Ross
Mayor, Village of Biscayne Park
640 NE 114th Street
Biscayne Park, FL 33161

Dear Mayor Ross:

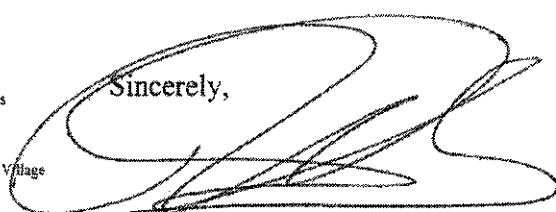
Allow me this opportunity to first thank you for your continued participation in and support of the Miami-Dade County League of Cities (MDCLC). President Michael Blynn, and myself are well aware that MDCLC's success is a direct result of the hard work and dedication of its members. For this reason, we need your cooperation in making appointments to the Board.

Each member municipality designates one of its elected officials to serve as a Director and one as an alternate of the League for a period of one year. The term commences at the date of the Annual Meeting which has been changed to the month of February, and runs until the following February.

Allow this letter to serve as a kind reminder that you are required to designate a Director and an alternate to represent your municipality on the MDCLC's Board preferably before the December Board Meeting. Please send us a note to the League office naming your appointments.

Thank you for your continued cooperation and support.

Sincerely,


Richard Kuper, Esq.
Executive Director

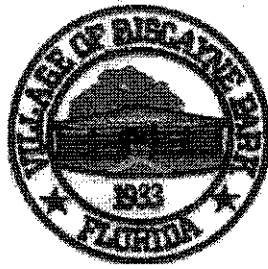
RK/mr

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Mayor, Miami Gardens

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State Representative, District 106
Hon. Manuel Maroñas
Mayor, City of Sweetwater
Hon. Eduardo Gonzalez
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Mayor, City of Hialeah
Hon. R.S. Shiver
Commissioner, City of Florida City
Hon. Wilfredo "Willy" Gort
Commissioner, City of Miami
Hon. Paul Vogel
Commissioner, City of North Bay Village
General Counsel
Howard B. Lenard, Esq.



Date: 11/29/10
To: Clerk Maria Camara
From: Commissioner Steve Bernard
Re: November Agenda Item

REQUEST:

A **DISCUSSION** OF: New shade tree at Recreation Center

BACKGROUND AND ANALYSIS:

Due to the previous removal of a large shade tree at the park, a group of 30 residents have donated enough money to install one large oak tree and associated irrigation.

Tree specs, warranty and photo will be provided prior to the 12/7/10 Commission Meeting.

FISCAL/BUDGETARY IMPACT:

None, all costs are covered by donation.

RECOMMENDATION: Approve

ACCEPTANCE OF GIFT

WHEREAS, numerous residents of the Village of Biscayne Park (hereinafter the "Residents"), wish to donate a sum of currency not to exceed two thousand two hundred and xx/100 dollars (\$2,200.00) to the Village of Biscayne Park (hereinafter the "Village") for the purchase and installation of an Oak tree as well as the associated irrigation; and

WHEREAS, the Village this day expresses its gratitude and acknowledges receipt from the Residents of a gift of currency not to exceed two thousand two hundred and xx/100 dollars (\$2,200.00) for the purchase and installation of an Oak tree as well as the associated irrigation; now, therefore:

1. It is the intention of the Residents to vest all incidents of absolute ownership and liability in said currency in the Village from this date forward.

2. The Village does hereby release and hold the Residents harmless and waive all claims against the Residents, its agents, officers and employees, from all claims, actions, and causes of action, damages, losses and liabilities, costs, or expenses whatsoever, arising out of the donation of the Oak tree and its associated irrigation.

Dated this _____ day of _____, 2010.

ATTEST:

Maria Camara, Village Clerk

Roxanne Ross, Mayor

State of Florida
County of Dade

On this, the ____ day of December, 2010, before me, the undersigned Notary Public of the State of Florida, personally appeared _____, whose names are subscribed to the within instrument, and they acknowledge that they executed it.

WITNESS my hand
and official seal

Notary Public, State of Florida
Persons signing are personally known

LAW OFFICES
ROBERT D. SOLOFF, P.A.
7805 S.W. 6TH COURT
PLANTATION, FLORIDA 33324

ROBERT D. SOLOFF
BOARD CERTIFIED
LABOR & EMPLOYMENT LAW

TELEPHONE: (954) 472-0002
FACSIMILE: (954) 472-0052
E-MAIL: SOLOFFPA@BELL SOUTH.NET

November 12, 2010

John J. Hearn, Esquire
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, Florida 33161

RE: Invoice for Legal Services Rendered

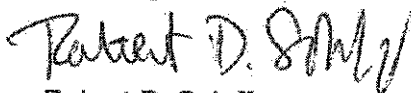
Dear John:

Enclosed please find my firm's Invoice for legal services rendered from August through October, 2010 for my firm's investigation of the Village Manager's complaint regarding Vice-Mayor Cooper.

As you reflect on the Invoice, I have adjusted the amount due to the flat fee amount of \$5,000.00 as previously agreed.

If you have any questions, please contact me.

Sincerely,



Robert D. Soloff

RDS/ksr

Enclosure

LAW OFFICES
ROBERT D. SOLOFF, P.A.
7805 S.W. 6TH COURT
PLANTATION, FLORIDA 33324

ROBERT D. SOLOFF
BOARD CERTIFIED
LABOR & EMPLOYMENT LAW

TELEPHONE: (954) 472-0002
FACSIMILE: (954) 472-0052
EMAIL: SOLOFFPA@BELLSOUTH.NET

November 1, 2010

John J. Hearn, Esquire
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park FL 33161

FOR LEGAL SERVICES RENDERED
AUGUST 1 through OCTOBER 31, 2010

ROBERT D. SOLOFF, ESQUIRE

\$200.00 PER HOUR

<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	
		<u>Hours</u>	<u>Amount</u>
8/10/2010	Telephone conference with J. Hearn re: Village Manager Complaint, Village background and needed investigation.	0.40	
	Review Village Charter and Officials; review web page re: Village; and review e-mails from and regarding Village Manager Complaint of Vice-Mayor Cooper.	0.60	
8/11/2010	Telephone conference with J. Hearn re: investigation regarding Village Manager Complaint and review e-mail to Commissioners confirming investigation.	0.30	
8/12/2010	Review e-mail from J. Hearn and e-mails from and to Vice-Mayor Cooper re: investigation.	0.10	
8/18/2010	Telephone conference with Village Manager to schedule meeting.	0.10	
8/25/2010	Travel to Village Hall; Conference with Village Manager re: background, issues and complaint re: Vice-Mayor Cooper; Conference with City Clerk re: background and issues regarding Complaint by Village Manager.	3.70	
8/26/2010	Telephone conference with J. Hearn re: meetings with Village Manager and Clerk; timing and additional e-mails	0.40	

	<u>Hours</u>	<u>Amount</u>
8/26/2010 Review e-mails from Vice-Mayor Cooper re: investigation and issues with Village Manager.	0.30	
Review e-mail (stream) from Commissioner Bernard re: August 2, 2010 e-mail.	0.60	
Draft e-mail to Vice Mayor Cooper re: scheduling meeting.	0.10	
8/28/2010 Review J. Hearn e-mail to Vice-Mayor Cooper re: scope of investigation and Village Manager Evaluation.	0.10	
8/30/2010 Review e-mail from J. Hearn to Vice-Mayor Cooper and review prior e-mails to Vice-Mayor Cooper re: Village Manager issues.	0.20	
Review e-mail from Vice-Mayor Cooper to schedule meeting (no charge).		
9/2/2010 Telephone conference with J. Hearn re: investigation status and scope.	0.30	
Draft e-mail to Vice Mayor Cooper re: scheduling meeting for investigation.	0.10	
9/8/2010 Review e-mail from Vice-Mayor Cooper re: scheduling meeting (no charge).		
9/13/2010 Review e-mail from Vice Mayor Cooper and draft e-mail in response re: contact and scheduling meeting for investigation.	0.10	
9/14/2010 Review e-mail from J. Hearn re: Manager evaluation issue.	0.10	
9/17/2010 Review file re: Complaint and Village Manager allegations; travel to and from FIU (North Campus); attend conference with Vice-Mayor Cooper re: investigation process, responses to Village Manager allegations, additional background and other information regarding Village Manager.	4.00	
9/20/2010 Review e-mails (2) from Vice-Mayor Cooper re: Village Manager e-mail, Sunshine and Commissioner research issues.	0.30	
Review e-mail from Village Clerk and review documents re: ARRA Grant and review documents regarding Vice-Mayor Cooper's request for records.	1.50	
9/21/2010 Telephone conference with J. Hearn re: status of investigation.	0.20	
9/27/2010 Review e-mails from Village Manager re: ARRA Grant and Vice-Mayor Cooper's requests.	0.20	
9/28/2010 Review documents and e-mails from Village Manager re: Complaint allegations.	1.20	
10/10/2010 Review e-mail from Vice-Mayor Cooper re: Village Manager Evaluation by Commissioner Bernard (no charge).		
10/14/2010 Review Charter, relevant e-mails and documents; organize e-mails by chronology and issues; and draft Investigative Report.	4.00	

	<u>Hours</u>	<u>Amount</u>
10/14/2010 Telephone conference with M. Manso re: employment history, contractor status; e-mail Complaint to Commissioners, Village Manager issues and meetings with Commissioners.	1.00	
Draft e-mail to Vice-Mayor Cooper re: investigation and documents to be provided.	0.20	
10/15/2010 Draft Investigative Report.	1.50	
10/18/2010 Telephone conference with J. Hearn; review Commissioner Bernard's Village Manager Evaluation; and draft e-mail to advise Vice-Mayor Cooper.	0.70	
Telephone conference with Assistant County Attorney re: need to speak with L. Fain and explain investigation.	0.30	
Draft Investigative Report.	3.50	
10/19/2010 Draft Investigative Report.	4.00	
Telephone conference with Vice-Mayor Cooper; draft e-mail to Vice-Mayor Cooper in response; and telephone conference (2nd) with Vice-Mayor Cooper re: additional issues in investigation.	0.80	
Review e-mails (8) from Vice-Mayor Cooper, 3 Time Sheets of Village Manager, and Village Manager Evaluation Form.	0.50	
10/20/2010 Draft Investigative Report.	4.70	
Telephone conference with L. Fain re: allegations in Village Manager Complaint.	0.40	
10/21/2010 Revise Investigative Report to Final; draft e-mail transmitting to J. Hearn; and telephone conference with J. Hearn.	1.00	
Prepare Exhibits to Investigative Report and draft e-mails transmitting to J. Hearn.	0.20	
For professional services rendered	37.70	\$7,540.00
10/31/2010 Write-Off - Flat Fee previously agreed to.		(\$2,540.00)
Total payments and adjustments		(\$2,540.00)
Balance due		\$5,000.00

Village of Biscayne Park
Fund 001 - General Fund - (fund001)
November 2010

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ASSETS

Cash-General Operating Account	-77,382.31
Cash-Payroll Account	-104,373.86
Petty Cash	300.00
Equity in Pooled Cash	379,712.79
Accounts Receivable	1,750.00
Accts Rec - Waste Fees Prior Yrs	121,196.49
Transfer to Sanitation Fund	131,525.49
Accounts Receivable-FYE Accruals	-46,282.50
Accts Rec - AFLAC	2,279.99
Accts Rec - Health Insurance	10,612.38
Accts Rec - Life & Dental	-4,309.17
Accts Rec - Other	34,237.94
Due from Forfeiture Fund	83,718.69
Due from Stormwater Fund	504.81
Due from Sanitation Fund	8,917.00
Inventory - Gasoline	5,087.35
Inventory - Diesel Fuel	2,576.73
Investments - State Pool	6,155.68
Investments - Money Market	336,004.40
Prepaid Items	40,109.02

PROPERTY

TOTAL ASSETS	669,289.94
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LIABILITIES & FUND BALANCES

Accounts Payable	1,307.65
Accounts Payable - Other	3,269.10
Credit Union Payable	365.00
Union Dues Payable - PAT	168.10
Union Dues Payable - PBA	225.40
FRS Pension Payable	15,838.99
Garnishments Payable	1,107.68
Due to Capital Projects Fund	250.00
Wages Payable	-100.73
Accrued Wages Payable	12,778.19
Accrued Taxes Payable	977.53
County Permit Surcharge	311.20
Education & Training Surcharge	74.00
State Permit Surcharge	186.80
DCA Radon Gas Payable	6.34
TOTAL LIABILITIES	36,765.25

FUND BALANCES

Fund Balance - Unreserved	632,524.69
TOTAL LIABILITIES & FUND BALANCES	-632,524.69
TOTAL LIABILITIES & FUND BALANCES	-669,289.94

Budget Comparison (Accrual)
Fund 001 - General Fund - (fund001)
November 2010

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
REVENUES									
Ad Valorem Taxes	71,627.83	350,000.00	-278,372.17	-79.53	71,627.83	350,000.00	-278,372.17	-79.53	1,182,565.00
Discounts on Ad Valorem Taxes	2,865.15	9,625.00	6,759.85	70.23	2,865.15	9,625.00	6,759.85	70.23	32,521.00
UTILITY SERVICE TAXES									
Electric Utility Tax	10,176.86	10,800.00	-623.14	-5.77	10,176.86	21,600.00	-11,423.14	-52.88	130,000.00
Water Utility Tax	0.00	2,000.00	-2,000.00	-100.0	0.00	4,000.00	-4,000.00	-100.0	24,000.00
Gas/Propane Utility Tax	508.14	600.00	-91.86	-15.31	961.39	1,200.00	-238.61	-19.88	8,000.00
Communications Service Tax	11,699.05	12,517.00	-817.95	-6.53	11,699.05	25,035.00	-13,335.95	-53.27	150,205.00
BUILDING PERMITS									
Building Permits	7,321.00	5,416.00	1,905.00	35.17	12,633.00	10,832.00	1,801.00	16.63	65,000.00
Electrical Permits	662.00	750.00	-88.00	-11.73	1,261.00	1,500.00	-239.00	-15.93	9,000.00
Plumbing Permits	210.00	1,166.00	-956.00	-81.99	1,340.00	2,332.00	-992.00	-42.54	14,000.00
A/C Mechanical	290.00	416.00	-126.00	-30.29	705.00	832.00	-127.00	-15.26	5,000.00
Painting Permits	120.00	166.00	-46.00	-27.71	220.00	332.00	-112.00	-33.73	2,000.00
Garage Sale Permit	50.00	83.00	-33.00	-39.76	120.00	166.00	-46.00	-27.71	1,000.00
Plan Review	0.00	0.00	0.00	0	0.00	0.00	0.00	0	1,000.00
Permit Admin/Application Fee	660.00	1,250.00	-590.00	-47.20	1,340.00	2,500.00	-1,160.00	-46.40	15,000.00
Contractor Registration	210.00	1,000.00	-790.00	-79.00	560.00	1,000.00	-440.00	-44.00	2,000.00
FRANCHISE FEES									
Electric Franchise Fee	0.00	10,917.00	-10,917.00	-100.0	0.00	21,834.00	-21,834.00	-100.0	131,000.00
Gas/Propane Franchise Fee	0.00	400.00	-400.00	-100.0	0.00	800.00	-800.00	-100.0	4,800.00
OTHER PERMITS & FEES									
Home Occupation Fee	0.00	50.00	-50.00	-100.0	0.00	100.00	-100.00	-100.0	800.00
Home Re-Occupancy Fee	200.00	150.00	50.00	33.33	350.00	300.00	50.00	16.67	2,000.00
Variance Application Fee	324.00	125.00	199.00	159.2	324.00	250.00	74.00	29.60	1,500.00
Local Home Business Fee	0.00	0.00	0.00	0	0.00	0.00	0.00	0	500.00
Landlord Permit Fee	50.00	125.00	-75.00	-60.00	50.00	250.00	-200.00	-80.00	1,500.00
Fuel Tax Refund	0.00	0.00	0.00	0	0.00	0.00	0.00	0	2,400.00
STATE SHARED REVENUES:									
State Revenue Sharing	9,581.52	5,175.00	4,406.52	85.15	9,581.52	10,350.00	-768.48	-7.42	62,104.00
Half-Cent Sales Tax	15,562.15	15,829.00	-266.85	-1.69	15,562.15	31,657.00	-16,094.85	-50.84	189,947.00
COUNTY SHARED REVENUES:									
Business Occupational Licenses	0.00	1,000.00	-1,000.00	-100.0	0.00	3,000.00	-3,000.00	-100.0	3,500.00
PARKS & RECREATION FEES									
Program Fees	1,716.40	500.00	1,216.40	243.2	2,176.40	900.00	1,276.40	141.8	5,000.00
Concession Sales	96.00	583.00	-487.00	-83.53	96.00	1,166.00	-1,070.00	-91.77	7,000.00
Facility Rental	405.00	0.00	405.00	0	784.00	0.00	784.00	0	0.00
Other Fees	0.00	1,000.00	-1,000.00	-100.0	149.99	2,000.00	-1,850.01	-92.50	12,000.00
OTHER CHARGES FOR SERVICES									
Admin Fee-Road Fund	0.00	0.00	0.00	0	0.00	3,550.00	-3,550.00	-100.0	14,146.00
Admin Fee - Sanitation Fund	0.00	0.00	0.00	0	0.00	14,500.00	-14,500.00	-100.0	57,794.00
Admin Fee - PW Direct Charge	0.00	0.00	0.00	0	0.00	24,500.00	-24,500.00	-100.0	98,340.00
JUDGEMENTS & FINES									
Traffic Fines	1,879.53	3,300.00	-1,420.47	-43.04	2,077.50	6,600.00	-4,522.50	-68.52	40,000.00
Code Enforcement Fines	25.00	2,100.00	-2,075.00	-98.81	5,785.00	4,100.00	1,685.00	41.10	25,000.00
MISCELLANEOUS REVENUES:									
Interest Earnings	0.00	500.00	-500.00	-100.0	0.00	1,000.00	-1,000.00	-100.0	6,000.00
Miscellaneous Other	0.00	500.00	-500.00	-100.0	1,632.20	1,000.00	632.20	63.22	6,000.00
Lien Search and Copies	588.75	410.00	178.75	43.60	1,073.75	820.00	253.75	30.95	5,000.00
Newsletter Advertising	150.00	250.00	-100.00	-40.00	150.00	500.00	-350.00	-70.00	3,000.00
Sale of Surplus Materials or Scrap	0.00	0.00	0.00	0	0.00	0.00	0.00	0	1,500.00
TOTAL REVENUES	131,248.08	419,453.00	-288,204.92	-68.71	149,571.49	540,881.00	-391,309.51	-72.35	2,257,080.00

VILLAGE COMMISSION:									
Executive Salaries	0.00	0.00	0.00	0	3,000.00	3,000.00	0.00	0.00	12,000.00
FICA Taxes & Medicare	0.00	0.00	0.00	0	229.50	230.00	0.50	0.22	918.00
Travel & Per Diem	0.00	152.00	152.00	100.0	0.00	304.00	304.00	100.0	1,825.00
Printing & Binding	0.00	20.00	20.00	100.0	0.00	40.00	40.00	100.0	250.00

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
Special Events	421.26	250.00	-171.26	-68.50	421.26	500.00	78.74	15.75	3,000.00
Memberships, Dues & Subscriptions	0.00	140.00	140.00	100.0	620.00	280.00	-340.00	-121.4	1,670.00
TOTAL COMMISSION	421.26	562.00	140.74	25.04	4,270.76	4,354.00	83.24	1.91	19,663.00
ADMINISTRATION:									
Executive Salaries	6,384.60	6,916.00	531.40	7.68	12,769.20	13,832.00	1,062.80	7.68	83,000.00
Regular Salaries	3,076.92	3,334.00	257.08	7.71	6,153.84	6,668.00	514.16	7.71	40,000.00
FICA Taxes & Medicare	723.81	785.00	61.19	7.79	1,447.54	1,570.00	122.46	7.80	9,410.00
Retirement	0.00	1,375.00	1,375.00	100.0	0.00	2,750.00	2,750.00	100.0	16,493.00
Life & Health Insurance	447.01	374.00	-73.01	-19.52	2,396.05	748.00	-1,648.05	-220.3	4,485.00
Workers' Compensation	0.00	29.00	29.00	100.0	0.00	58.00	58.00	100.0	344.00
Professional Services - Code	0.00	0.00	0.00	0	0.00	0.00	0.00	0	2,000.00
Travel & Per Diem	0.00	250.00	250.00	100.0	1,010.90	500.00	-510.90	-102.1	3,000.00
Travel Allowance	800.00	400.00	-400.00	-100.0	880.00	800.00	-80.00	-10.00	4,800.00
Insurance - Liability	0.00	245.00	245.00	100.0	0.00	490.00	490.00	100.0	2,930.00
Communications - Telephone	0.00	125.00	125.00	100.0	132.52	250.00	117.48	46.99	1,500.00
Printing & Binding	0.00	17.00	17.00	100.0	0.00	34.00	34.00	100.0	200.00
Advertising - Legal	0.00	834.00	834.00	100.0	0.00	1,668.00	1,668.00	100.0	10,000.00
Office Supplies	14.29	42.00	27.71	65.98	22.84	84.00	61.16	72.81	500.00
Operating Supplies	0.00	42.00	42.00	100.0	551.39	84.00	-467.39	-556.4	500.00
Memberships, Dues & Subscriptions	689.00	84.00	-605.00	-720.2	689.00	168.00	-521.00	-310.1	1,000.00
Education & Training	789.40	125.00	-664.40	-531.5	989.40	250.00	-739.40	-295.7	1,500.00
TOTAL ADMINISTRATION	12,925.03	14,977.00	2,051.97	13.70	27,042.68	29,954.00	2,911.32	9.72	181,662.00
FINANCE:									
Regular Salaries & Wages	5,316.92	5,760.00	443.08	7.69	10,633.84	11,520.00	886.16	7.69	69,120.00
FICA Taxes & Medicare	406.75	441.00	34.25	7.77	813.44	882.00	68.56	7.77	5,288.00
Retirement	0.00	634.00	634.00	100.0	0.00	1,268.00	1,268.00	100.0	7,603.00
Life & Health Insurance	746.52	730.00	-16.52	-2.26	1,332.92	1,460.00	127.08	8.70	8,760.00
Workers' Compensation	0.00	16.00	16.00	100.0	0.00	32.00	32.00	100.0	193.00
Professional Services - Audit	0.00	0.00	0.00	0	0.00	0.00	0.00	0	18,000.00
Contract Svc - Accounting Software	0.00	1,100.00	1,100.00	100.0	1,543.00	4,100.00	2,557.00	62.37	4,100.00
Contract Svc - Payroll	198.41	200.00	1.59	0.80	471.21	400.00	-71.21	-17.80	2,400.00
Travel & Per Diem	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Office Supplies	115.36	17.00	-98.36	-578.5	539.76	34.00	-505.76	-1,487	200.00
Memberships, Dues & Subscriptions	0.00	35.00	35.00	100.0	0.00	70.00	70.00	100.0	420.00
TOTAL FINANCE	6,783.96	9,017.00	2,233.04	24.76	15,334.17	19,934.00	4,599.83	23.08	117,084.00
LEGAL:									
Professional Svcs - Legal	0.00	5,000.00	5,000.00	100.0	0.00	10,000.00	10,000.00	100.0	60,000.00
Professional Svcs - Other Legal	0.00	2,084.00	2,084.00	100.0	0.00	4,168.00	4,168.00	100.0	25,000.00
TOTAL LEGAL	0.00	7,084.00	7,084.00	100.0	0.00	14,168.00	14,168.00	100.0	85,000.00
PLANNING & ZONING:									
Professional Svcs - Eng/Planning	0.00	667.00	667.00	100.0	0.00	1,334.00	1,334.00	100.0	8,000.00
TOTAL PLANNING & ZONING	0.00	667.00	667.00	100.0	0.00	1,334.00	1,334.00	100.0	8,000.00
GENERAL GOVERNMENT:									
Regular Salaries & Wages	1,093.50	1,417.00	323.50	22.83	2,413.50	2,834.00	420.50	14.84	17,000.00
FICA Taxes & Medicare	83.66	109.00	25.34	23.25	184.64	218.00	33.36	15.30	1,300.00
Retirement	0.00	156.00	156.00	100.0	0.00	312.00	312.00	100.0	1,870.00
Workers' Compensation	0.00	4.00	4.00	100.0	0.00	8.00	8.00	100.0	48.00
Professional Svcs - Medical	100.00	117.00	17.00	14.53	200.00	234.00	34.00	14.53	1,400.00
Professional Svcs - IT	0.00	1,000.00	1,000.00	100.0	1,190.00	2,000.00	810.00	40.50	12,000.00
Professional Svcs - Lobbyists	0.00	417.00	417.00	100.0	0.00	834.00	834.00	100.0	5,000.00
Postage & Shipping	18.30	63.00	44.70	70.95	31.95	126.00	94.05	74.64	750.00
Electric	2,203.64	2,500.00	296.36	11.85	4,533.91	5,000.00	466.09	9.32	30,000.00
Water & Sewer	8.00	13.00	5.00	38.46	261.81	26.00	-235.81	-906.9	150.00
Rented or Leased Equipment	0.00	350.00	350.00	100.0	0.00	700.00	700.00	100.0	4,200.00
Rent Storage Facilities	0.00	0.00	0.00	0	-75.46	0.00	75.46	0	0.00
Insurance - Liability	0.00	30.00	30.00	100.0	0.00	60.00	60.00	100.0	352.00
Insurance - Property	0.00	1,809.00	1,809.00	100.0	0.00	3,618.00	3,618.00	100.0	21,706.00
Communications - Telephone	1,623.27	1,042.00	-581.27	-55.78	3,246.54	2,084.00	-1,162.54	-55.78	12,500.00
R & M - Equipment	100.00	250.00	150.00	60.00	215.00	500.00	285.00	57.00	3,000.00
Printing & Binding	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Promotional Activities	0.00	250.00	250.00	100.0	0.00	500.00	500.00	100.0	3,000.00
Office Supplies	87.37	42.00	-45.37	-108.0	291.34	84.00	-207.34	-246.8	500.00
Operating Supplies	56.98	42.00	-14.98	-35.67	85.91	84.00	-1.91	-2.27	500.00
Memberships, Dues & Subscriptions	176.87	61.00	-115.87	-189.9	176.87	122.00	-54.87	-44.98	725.00
Education & Trainings	0.00	13.00	13.00	100.0	0.00	26.00	26.00	100.0	150.00
Contingency	0.00	6,407.00	6,407.00	100.0	0.00	12,814.00	12,814.00	100.0	76,882.00

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
Aids to Private Organizations	0.00	209.00	209.00	100.0	0.00	418.00	418.00	100.0	2,500.00
TOTAL GENERAL GOVERNMENT	5,551.59	16,385.00	10,833.41	66.12	12,756.01	32,770.00	20,013.99	61.07	196,533.00
POLICE:									
Regular Salaries & Wages	37,136.54	49,507.00	12,370.46	24.99	78,529.85	99,014.00	20,484.15	20.69	594,076.00
Other Salaries & Wages	3,030.00	2,386.00	-644.00	-26.99	4,031.60	4,772.00	740.40	15.52	28,629.00
Overtime	3,704.35	1,667.00	-2,037.35	-122.2	5,360.94	3,334.00	-2,026.94	-60.80	20,000.00
Special Pay - Police Incentive	740.00	667.00	-73.00	-10.94	2,253.04	1,334.00	-919.04	-68.89	8,000.00
Special Pay - Court Time	1,194.72	834.00	-360.72	-43.25	1,569.00	1,668.00	99.00	5.94	10,000.00
FICA Taxes & Medicare	3,504.14	4,212.00	707.86	16.81	7,018.35	8,424.00	1,405.65	16.69	50,544.00
Retirement	0.00	11,725.00	11,725.00	100.0	0.00	23,450.00	23,450.00	100.0	140,691.00
Life & Health Insurance	4,097.11	4,015.00	-82.11	-2.05	9,186.46	8,030.00	-1,156.46	-14.40	48,180.00
Workers' Compensation	0.00	1,972.00	1,972.00	100.0	0.00	3,944.00	3,944.00	100.0	23,658.00
Unemployment Compensation	0.00	334.00	334.00	100.0	0.00	668.00	668.00	100.0	4,000.00
Professional Svcs - Legal Other	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Professional Svcs - Medical	0.00	84.00	84.00	100.0	500.00	168.00	-332.00	-197.6	1,000.00
Transcription Fees	0.00	167.00	167.00	100.0	0.00	334.00	334.00	100.0	2,000.00
Travel & Per Diem	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Rented or Leased Equipment	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Insurance - Vehicles	0.00	600.00	600.00	100.0	0.00	1,200.00	1,200.00	100.0	7,200.00
Insurance - Liability	0.00	2,542.00	2,542.00	100.0	0.00	5,084.00	5,084.00	100.0	30,500.00
Insurance - Old W.C. Claims	0.00	1,667.00	1,667.00	100.0	0.00	3,334.00	3,334.00	100.0	20,000.00
Communications - Telephone	80.04	417.00	336.96	80.81	221.21	834.00	612.79	73.48	5,000.00
R & M - Equipment	93.00	317.00	224.00	70.66	93.00	634.00	541.00	85.33	3,800.00
R & M - Radios	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
R & M Vehicles	1,514.84	1,109.00	-405.84	-36.60	2,142.50	2,218.00	75.50	3.40	13,300.00
Printing & Binding	0.00	50.00	50.00	100.0	0.00	100.00	100.00	100.0	600.00
Miscellaneous Charges	54.25	17.00	-37.25	-219.1	54.25	34.00	-20.25	-59.56	200.00
Office Supplies	103.76	167.00	63.24	37.87	130.50	334.00	203.50	60.93	2,000.00
Operating Supplies	0.00	292.00	292.00	100.0	622.60	584.00	-38.60	-6.61	3,500.00
Uniforms & Clothing	65.96	450.00	384.04	85.34	215.92	900.00	684.08	76.01	5,400.00
Gas & Oil	0.00	2,500.00	2,500.00	100.0	33.06	5,000.00	4,966.94	99.34	30,000.00
Memberships, Dues and Subscription	216.87	125.00	-91.87	-73.50	216.87	250.00	33.13	13.25	1,500.00
Education & Training	0.00	209.00	209.00	100.0	0.00	418.00	418.00	100.0	2,500.00
Principal	6,157.98	4,022.00	-2,135.98	-53.11	9,721.80	8,044.00	-1,677.80	-20.86	48,255.00
Interest	458.51	307.00	-151.51	-49.35	766.34	614.00	-152.34	-24.81	3,694.00
TOTAL POLICE	62,152.07	92,697.00	30,544.93	32.95	122,667.29	185,394.00	62,726.71	33.83	1,112,227.00
BUILDING DEPARTMENT:									
Regular Salaries & Wages	2,280.00	2,470.00	190.00	7.69	4,560.00	4,941.00	381.00	7.71	29,641.00
FICA Taxes & Medicare	174.42	189.00	14.58	7.71	348.84	378.00	29.16	7.71	2,267.00
Retirement	0.00	272.00	272.00	100.0	0.00	544.00	544.00	100.0	3,260.00
Life & Health Insurance	373.26	365.00	-8.26	-2.26	666.46	730.00	63.54	8.70	4,380.00
Workers' Compensation Ins.	0.00	7.00	7.00	100.0	0.00	14.00	14.00	100.0	83.00
Professional Svcs - IT	599.00	100.00	-499.00	-499.0	1,198.00	200.00	-998.00	-499.0	1,200.00
Professional Svcs - Inspections	0.00	4,350.00	4,350.00	100.0	0.00	8,700.00	8,700.00	100.0	52,200.00
Insurance - Liability	0.00	104.00	104.00	100.0	0.00	208.00	208.00	100.0	1,248.00
Office Supplies	0.00	42.00	42.00	100.0	0.00	84.00	84.00	100.0	500.00
Operating Supplies	0.00	100.00	100.00	100.0	0.00	200.00	200.00	100.0	1,200.00
Memberships, Dues & Subscriptions	0.00	9.00	9.00	100.0	0.00	18.00	18.00	100.0	100.00
Education & Training	0.00	13.00	13.00	100.0	0.00	26.00	26.00	100.0	150.00
Equipment	636.80	0.00	-636.80	0	636.80	0.00	-636.80	0	0.00
TOTAL BUILDING	4,063.48	8,021.00	3,957.52	49.34	7,410.10	16,043.00	8,632.90	53.81	96,229.00
CODE ENFORCEMENT:									
Regular Salaries & Wages	4,011.50	2,667.00	-1,344.50	-50.41	13,431.64	5,334.00	-8,097.64	-151.8	32,000.00
Other Salaries & Wages	0.00	500.00	500.00	100.0	0.00	1,000.00	1,000.00	100.0	6,000.00
FICA Taxes & Medicare	306.87	243.00	-63.87	-26.28	557.28	486.00	-71.28	-14.67	2,907.00
Retirement	0.00	349.00	349.00	100.0	0.00	698.00	698.00	100.0	4,180.00
Life & Health Insurance	373.26	365.00	-8.26	-2.26	959.66	730.00	-229.66	-31.46	4,380.00
Workers' Compensation Ins.	0.00	90.00	90.00	100.0	0.00	180.00	180.00	100.0	1,079.00
Postage & Shipping	0.00	25.00	25.00	100.0	0.00	50.00	50.00	100.0	300.00
Insurance - Vehicles	0.00	50.00	50.00	100.0	0.00	100.00	100.00	100.0	600.00
Communications - Telephone	56.70	50.00	-6.70	-13.40	113.70	100.00	-13.70	-13.70	600.00
R & M - Equipment	0.00	100.00	100.00	100.0	0.00	200.00	200.00	100.0	1,200.00
R & M - Vehicles	0.00	42.00	42.00	100.0	0.00	84.00	84.00	100.0	500.00
Printing & Binding	0.00	13.00	13.00	100.0	0.00	26.00	26.00	100.0	150.00
Filing Fees - Liens	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,000.00
Office Supplies	0.00	17.00	17.00	100.0	0.00	34.00	34.00	100.0	200.00
Uniforms & Clothing	0.00	11.00	11.00	100.0	0.00	22.00	22.00	100.0	125.00
Memberships, Dues & Subscriptions	0.00	9.00	9.00	100.0	0.00	18.00	18.00	100.0	100.00
Education & Training	0.00	9.00	9.00	100.0	0.00	18.00	18.00	100.0	100.00

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TOTAL CODE ENFORCEMENT	4,748.33	4,624.00	-124.33	-2.69	15,062.28	9,248.00	-5,814.28	-62.87	55,421.00
PUBLIC WORKS:									
Regular Salaries & Wages	12,290.76	13,323.00	1,032.24	7.75	18,259.52	26,646.00	8,386.48	31.47	159,868.00
Overtime	0.00	50.00	50.00	100.0	0.00	100.00	100.00	100.0	600.00
FICA Taxes & Medicare	940.25	1,020.00	79.75	7.82	2,024.20	2,040.00	15.80	0.77	12,230.00
Retirement	0.00	1,466.00	1,466.00	100.0	0.00	2,932.00	2,932.00	100.0	17,585.00
Life & Health Insurance	2,166.88	2,084.00	-82.88	-3.98	4,050.80	4,169.00	118.20	2.84	25,009.00
Workers' Compensation Ins.	0.00	1,072.00	1,072.00	100.0	0.00	2,144.00	2,144.00	100.0	12,856.00
Unemployment Compensation	0.00	334.00	334.00	100.0	0.00	668.00	668.00	100.0	4,000.00
Communications - Telephone	627.07	250.00	-377.07	-150.8	1,873.45	500.00	-1,373.45	-274.6	3,000.00
Communications - Radios	0.00	42.00	42.00	100.0	0.00	84.00	84.00	100.0	500.00
Electric	169.82	225.00	55.18	24.52	343.75	450.00	106.25	23.61	2,700.00
Water & Sewer	0.00	392.00	392.00	100.0	382.25	784.00	401.75	51.24	4,700.00
Rented or Leased Equipment	0.00	334.00	334.00	100.0	0.00	668.00	668.00	100.0	4,000.00
Insurance - Vehicles	0.00	47.00	47.00	100.0	0.00	94.00	94.00	100.0	563.00
Insurance - Liability	0.00	225.00	225.00	100.0	0.00	450.00	450.00	100.0	2,700.00
R & M - Land/Landscaping	0.00	417.00	417.00	100.0	30.00	834.00	804.00	96.40	5,000.00
R & M - Summer Mowing	0.00	417.00	417.00	100.0	0.00	834.00	834.00	100.0	5,000.00
R & M - Buildings	1,602.90	500.00	-1,102.90	-220.5	2,619.81	1,000.00	-1,619.81	-161.9	6,000.00
R & M - Equipment	373.00	209.00	-164.00	-78.47	373.00	418.00	45.00	10.77	2,500.00
R & M - Vehicles	525.98	52.00	-473.98	-911.5	1,809.21	105.00	-1,704.21	-1,623	625.00
Office Supplies	0.00	100.00	100.00	100.0	31.19	200.00	168.81	84.41	1,200.00
Operating Supplies	359.16	584.00	224.84	38.50	680.76	1,168.00	487.24	41.72	7,000.00
Uniforms & Clothing	179.13	146.00	-33.13	-22.69	330.31	292.00	-38.31	-13.12	1,750.00
Gas & Oil	0.00	167.00	167.00	100.0	735.21	334.00	-401.21	-120.1	2,000.00
TOTAL PUBLIC WORKS	19,234.95	23,456.00	4,221.05	18.00	33,543.46	46,914.00	13,370.54	28.50	281,386.00
RECREATION:									
Regular Salaries & Wages	2,474.36	2,681.00	206.64	7.71	5,834.72	5,362.00	-472.72	-8.82	32,168.00
Other Salaries & Wages	1,670.00	2,000.00	330.00	16.50	2,488.00	4,000.00	1,512.00	37.80	24,000.00
FICA Taxes & Medicare	317.04	358.00	40.96	11.44	479.34	717.00	237.66	33.15	4,297.00
Retirement	0.00	515.00	515.00	100.0	0.00	1,030.00	1,030.00	100.0	6,178.00
Life & Health Insurance	332.68	365.00	32.32	8.85	625.88	730.00	104.12	14.26	4,380.00
Workers' Compensation Ins.	0.00	197.00	197.00	100.0	0.00	394.00	394.00	100.0	2,360.00
Electric	455.44	500.00	44.56	8.91	911.30	1,000.00	88.70	8.87	6,000.00
Water & Sewer	0.00	59.00	59.00	100.0	0.00	118.00	118.00	100.0	700.00
Rented or Leased Equipment	0.00	63.00	63.00	100.0	0.00	126.00	126.00	100.0	750.00
Insurance - Vehicles	0.00	49.00	49.00	100.0	0.00	98.00	98.00	100.0	592.00
Insurance - Liability	0.00	100.00	100.00	100.0	0.00	200.00	200.00	100.0	1,200.00
Communications - Telephone	112.13	117.00	4.87	4.16	112.13	234.00	121.87	52.08	1,400.00
R & M - Land	0.00	417.00	417.00	100.0	730.00	834.00	104.00	12.47	5,000.00
R & M - Equipment	0.00	459.00	459.00	100.0	90.00	918.00	828.00	90.20	5,500.00
R & M - Vehicles	0.00	25.00	25.00	100.0	0.00	50.00	50.00	100.0	300.00
Printing & Binding	0.00	25.00	25.00	100.0	0.00	50.00	50.00	100.0	300.00
Misc - Concession Purchases	426.83	317.00	-109.83	-34.65	541.15	634.00	92.85	14.65	3,800.00
Misc - Special Events	84.83	250.00	165.17	66.07	309.12	500.00	190.88	38.18	3,000.00
Office Supplies	0.00	42.00	42.00	100.0	0.00	84.00	84.00	100.0	500.00
Operating Supplies	0.00	42.00	42.00	100.0	385.43	84.00	-301.43	-358.8	500.00
Uniforms & Clothing	0.00	17.00	17.00	100.0	0.00	34.00	34.00	100.0	200.00
Gas & Oil	0.00	21.00	21.00	100.0	0.00	42.00	42.00	100.0	250.00
Memberships, Dues & Subscriptions	0.00	25.00	25.00	100.0	0.00	50.00	50.00	100.0	300.00
Education & Training	0.00	17.00	17.00	100.0	0.00	34.00	34.00	100.0	200.00
TOTAL RECREATION	5,873.31	8,661.00	2,787.69	32.19	12,507.07	17,323.00	4,815.93	27.80	103,875.00
TOTAL EXPENDITURES/EXPENSE	121,753.98	186,151.00	64,397.02	34.59	250,593.82	377,436.00	126,842.18	33.61	2,257,080.00
NET INCOME	9,494.10	233,302.00	-223,807.90	-95.93	-101,022.33	163,445.00	-264,467.33	-161.8	0.00

Village of Biscayne Park
Fund 101 - Road Fund - (fund101)
November 2010

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ASSETS

Cash-General Operating Account	-1,443.88
Cash - Road Fund	1,418.55
Equity in Pooled Cash	23,107.96
Accounts Receivable-FYE Accruals	-6,942.62
Accts Rec - AFLAC	-10.10
Accts Rec - Health Insurance	-730.95
Accts Rec - Life & Dental	-30.30
Accts Rec - Other	6,942.62

PROPERTY

TOTAL ASSETS	<u>22,311.28</u>
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LIABILITIES & FUND BALANCES

Accounts Payable	1,578.87
Credit Union Payable	195.00
Union Dues Payable - PAT	767.95
Union Dues Payable - PBA	<u>51.91</u>
TOTAL LIABILITIES	<u>2,593.73</u>

FUND BALANCES

Fund Balance - Unreserved	<u>19,717.55</u>
TOTAL LIABILITIES & FUND BALANCES	<u>-19,717.55</u>
TOTAL LIABILITIES & FUND BALANCES	<u>-22,311.28</u>

Village of Biscayne Park
Fund 101 - Road Fund - (fund101)
November 2010

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	<u>Month to Date</u>	<u>%</u>	<u>Year to Date</u>	<u>%</u>
REVENUES				
UTILITY SERVICE TAXES				
BUILDING PERMITS				
FRANCHISE FEES				
OTHER PERMITS & FEES				
STATE SHARED REVENUES:				
State Revenue Sharing	3,917.38	100.00	3,917.38	100.00
COUNTY SHARED REVENUES:				
PARKS & RECREATION FEES				
OTHER CHARGES FOR SERVICES:				
JUDGEMENTS & FINES				
MISCELLANEOUS REVENUES;				
TOTAL REVENUES	<u>3,917.38</u>	<u>100.00</u>	<u>3,917.38</u>	<u>100.00</u>
STREETS & ROADS:				
Regular Salaries & Wages	4,468.73	114.07	9,012.77	230.07
FICA Taxes	341.86	8.73	689.43	17.60
Health, Life & Dental Insurance	876.52	22.38	2,172.94	55.47
R & M - Equipment	0.00	0.00	359.86	9.19
R & M - Vehicles	3,226.72	82.37	3,226.72	82.37
Uniforms & Clothing	99.08	2.53	241.88	6.17
TOTAL STREETS & ROADS	<u>9,012.91</u>	<u>230.07</u>	<u>15,703.60</u>	<u>400.87</u>
TOTAL EXPENDITURES/EXPENSES	<u>9,012.91</u>	<u>230.07</u>	<u>15,703.60</u>	<u>400.87</u>
NET INCOME	<u>-5,095.53</u>	<u>-130.07</u>	<u>-11,786.22</u>	<u>-300.87</u>

Village of Biscayne Park
Fund 103 - CITT Fund - (fund103)
November 2010

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ASSETS

Cash-General Operating Account	-3,000.00
Cash - Transit Surtax	109,943.01
Equity in Pooled Cash	-133,635.90
Accounts Receivable	90,000.00
Accts Rec - Other	6,929.00

PROPERTY

TOTAL ASSETS	<u>70,236.11</u>
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FUND BALANCES

Fund Balance - Unreserved	<u>70,236.11</u>
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TOTAL LIABILITIES & FUND BALANCES	<u>-70,236.11</u>
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TOTAL LIABILITIES & FUND BALANCES	<u>-70,236.11</u>
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Budget Comparison (Accrual)
Fund 103 - CITT Fund - (fund103)
November 2010

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
REVENUES									
UTILITY SERVICE TAXES									
BUILDING PERMITS									
FRANCHISE FEES									
OTHER PERMITS & FEES									
STATE SHARED REVENUES:									
COUNTY SHARED REVENUES:									
Transit Surtax	0.00	6,110.00	-6,110.00	-100.0	0.00	12,220.00	-12,220.00	-100.0	73,322.00
PARKS & RECREATION FEES									
OTHER CHARGES FOR SERVICES									
JUDGEMENTS & FINES									
MISCELLANEOUS REVENUES:									
Interest Earnings	0.00	17.00	-17.00	-100.0	0.00	34.00	-34.00	-100.0	200.00
Appropriated Fund Balance	0.00	17,000.00	-17,000.00	-100.0	0.00	17,000.00	-17,000.00	-100.0	170,000.00
TOTAL REVENUES	0.00	23,127.00	-23,127.00	-100.0	0.00	29,254.00	-29,254.00	-100.0	243,522.00
TRANSIT & TRANSPORTATION									
Regular Salaries & Wages	0.00	1,040.00	1,040.00	100.0	0.00	2,080.00	2,080.00	100.0	12,480.00
FICA Taxes	0.00	79.00	79.00	100.0	0.00	158.00	158.00	100.0	955.00
Retirement Contributions	0.00	115.00	115.00	100.0	0.00	230.00	230.00	100.0	1,373.00
Workers' Compensation	0.00	84.00	84.00	100.0	0.00	168.00	168.00	100.0	1,005.00
Insurance - Vehicles	0.00	41.00	41.00	100.0	0.00	82.00	82.00	100.0	500.00
R & M - Vehicles	0.00	0.00	0.00	0	0.00	125.00	125.00	100.0	500.00
Gas & Oil	0.00	216.00	216.00	100.0	0.00	432.00	432.00	100.0	2,600.00
Contingency	0.00	3,869.00	3,869.00	100.0	0.00	7,738.00	7,738.00	100.0	46,423.00
Principal	3,631.83	0.00	-3,631.83	0	3,631.83	0.00	-3,631.83	0	7,446.00
Interest	210.96	0.00	-210.96	0	210.96	0.00	-210.96	0	240.00
Transfer to Capital Projects Fund	0.00	17,000.00	17,000.00	100.0	0.00	17,000.00	17,000.00	100.0	170,000.00
TOTAL TRANSIT & TRANSPORTAT	3,842.79	22,444.00	18,601.21	82.88	3,842.79	28,013.00	24,170.21	86.28	243,522.00
TOTAL EXPENDITURES/EXPENSE	3,842.79	22,444.00	18,601.21	82.88	3,842.79	28,013.00	24,170.21	86.28	243,522.00
NET INCOME	-3,842.79	683.00	-4,525.79	-662.6	-3,842.79	1,241.00	-5,083.79	-409.6	0.00

Village of Biscayne Park
Fund 105 - Police Forfeiture Fund - (fund105)
November 2010

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ASSETS

Cash - State Forfeiture Acct	20,592.63
Cash - Federal Forfeiture Acct	17,223.01
Cash - Crime Watch	3,164.88
Accts Rec - Other	108,761.06

PROPERTY

TOTAL ASSETS	<u>149,741.58</u>
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LIABILITIES & FUND BALANCES

Accounts Payable	457.92
Due to General Fund	<u>83,718.69</u>
TOTAL LIABILITIES	<u>84,176.61</u>

FUND BALANCES

Fund Balance - Unreserved	<u>65,564.97</u>
TOTAL LIABILITIES & FUND BALANCES	<u>-65,564.97</u>
TOTAL LIABILITIES & FUND BALANCES	<u>-149,741.58</u>

Budget Comparison (Accrual)
Fund 105 - Police Forfeiture Fund - (fund105)
November 2010

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
REVENUES									
UTILITY SERVICE TAXES									
BUILDING PERMITS									
FRANCHISE FEES									
OTHER PERMITS & FEES									
STATE SHARED REVENUES:									
COUNTY SHARED REVENUES:									
PARKS & RECREATION FEES									
OTHER CHARGES FOR SERVICES									
JUDGEMENTS & FINES									
State Forfeitures	0.00	0.00	0.00	0	-330.00	0.00	-330.00	0	0.00
MISCELLANEOUS REVENUES;									
TOTAL REVENUES	0.00	0.00	0.00	0	-330.00	0.00	-330.00	0	0.00
POLICE:									
Communications - Telephone	123.01	0.00	-123.01	0	250.93	0.00	-250.93	0	0.00
TOTAL POLICE	123.01	0.00	-123.01	0	250.93	0.00	-250.93	0	0.00
TOTAL EXPENDITURES/EXPENSE	123.01	0.00	-123.01	0	250.93	0.00	-250.93	0	0.00
NET INCOME	-123.01	0.00	-123.01	0	-580.93	0.00	-580.93	0	0.00

Village of Biscayne Park
Fund 302 - Capital Projects Fund - (fund302)
November 2010

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ASSETS

Cash-General Operating Account	-83,780.61
Cash - Capital Projects	39.76
Equity in Pooled Cash	-401,459.43
Accts Rec - Other	31,118.59
Due from General Fund	250.00

PROPERTY

TOTAL ASSETS	<u>-453,831.69</u>
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LIABILITIES & FUND BALANCES

Accounts Payable	1,155.00
Accrued Accounts Payable	37,709.67
Retainage Payable	<u>12,899.57</u>
TOTAL LIABILITIES	<u>51,764.24</u>

FUND BALANCES

Fund Balance - Unreserved	<u>-505,595.93</u>
TOTAL LIABILITIES & FUND BALANCES	<u>505,595.93</u>
TOTAL LIABILITIES & FUND BALANCES	<u>453,831.69</u>

Budget Comparison (Accrual)
Fund 302 - Capital Projects Fund - (fund302)
November 2010

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
REVENUES									
UTILITY SERVICE TAXES									
BUILDING PERMITS									
FRANCHISE FEES									
OTHER PERMITS & FEES									
Grant - 2008 Fla Stormwater	0.00	0.00	0.00	0	0.00	0.00	0.00	0	200,000.00
STATE SHARED REVENUES:									
COUNTY SHARED REVENUES:									
PARKS & RECREATION FEES									
OTHER CHARGES FOR SERVICES									
JUDGEMENTS & FINES									
MISCELLANEOUS REVENUES;									
Miscellaneous Other	0.00	0.00	0.00	0	250.00	0.00	250.00	0	0.00
Transfer In - CITT Fund	0.00	10,000.00	-10,000.00	-100.0	0.00	10,000.00	-10,000.00	-100.0	170,000.00
TOTAL REVENUES	0.00	10,000.00	-10,000.00	-100.0	250.00	10,000.00	-9,750.00	-97.50	370,000.00
Grant - 2008 Drainage	0.00	0.00	0.00	0	47.00	0.00	-47.00	0	370,000.00
Rec Imp - EOC Hardening	10,290.90	0.00	-10,290.90	0	10,290.90	0.00	-10,290.90	0	0.00
Rec Imp - Pavilion	0.00	0.00	0.00	0	37,409.67	0.00	-37,409.67	0	0.00
TOTAL CAPITAL PROJECTS	10,290.90	0.00	-10,290.90	0	47,747.57	0.00	-47,747.57	0	370,000.00
TOTAL EXPENDITURES/EXPENSE	10,290.90	0.00	-10,290.90	0	47,747.57	0.00	-47,747.57	0	370,000.00
NET INCOME	-10,290.90	10,000.00	-20,290.90	-202.9	-47,497.57	10,000.00	-57,497.57	-574.9	0.00

Village of Biscayne Park
Fund 401 - Storm Water Grant - (fund401)
November 2010

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ASSETS

Cash - Storm Water 3510746606	25.00
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PROPERTY

TOTAL ASSETS	<u>25.00</u>
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FUND BALANCES

Fund Balance - Unreserved	<u>25.00</u>
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TOTAL LIABILITIES & FUND BALANCES	<u>-25.00</u>
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TOTAL LIABILITIES & FUND BALANCES	-25.00
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Village of Biscayne Park
Fund 402 - Sanitation Fund - (fund402)
November 2010

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ASSETS

Cash-General Operating Account	8,527.44
Equity in Pooled Cash	-154,886.08
Accts Rec - Waste Fees Prior Yrs	126,507.59
Accounts Receivable-FYE Accruals	-7,326.97
Accts Rec - Other	24,596.97
Allowance for Uncollectibel A/R	17,270.00
Prepaid Items	1,275.43

PROPERTY

Equipment and Furniture	267,754.10
Accum Depre-Equipment	177,649.10

TOTAL ASSETS	71,529.38
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LIABILITIES & FUND BALANCES

Accounts Payable	7,172.70
Credit Union Payable	508.00
Union Dues Payable - PAT	1,768.73
Union Dues Payable - PBA	119.20
Garnishments Payable	172.62
Due to General Fund	8,917.00
Accrued Vacation Payable	1,927.67
Accrued Sick Time Payable	10,244.82
Capital Lease - Long Term	42,083.25
TOTAL LIABILITIES	72,913.99

FUND BALANCES

Fund Balance - Unreserved	-1,384.61
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TOTAL LIABILITIES & FUND BALANCES	1,384.61
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TOTAL LIABILITIES & FUND BALANCES	-71,529.38
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Budget Comparison (Accrual)
Fund 402 - Sanitation Fund - (fund402)
November 2010

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
REVENUES									
UTILITY SERVICE TAXES									
BUILDING PERMITS									
FRANCHISE FEES									
OTHER PERMITS & FEES									
STATE SHARED REVENUES:									
COUNTY SHARED REVENUES:									
Sanitation Assessment	55,242.00	0.00	55,242.00	0	55,242.00	0.00	55,242.00	0	0.00
Discount on Early Payment	2,209.68	0.00	-2,209.68	0	2,209.68	0.00	-2,209.68	0	0.00
PARKS & RECREATION FEES									
OTHER CHARGES FOR SERVICES									
JUDGEMENTS & FINES									
MISCELLANEOUS REVENUES:									
TOTAL REVENUES	53,032.32	0.00	53,032.32	0	53,032.32	0.00	53,032.32	0	0.00
SANITATION/GARBAGE:									
Regular Salaries & Wages	10,653.51	11,281.00	627.49	5.56	21,045.43	22,562.00	1,516.57	6.72	135,382.00
FICA Taxes & Medicare	805.83	863.00	57.17	6.62	1,600.88	1,727.00	126.12	7.30	10,357.00
Retirement	0.00	1,241.00	1,241.00	100.0	0.00	2,482.00	2,482.00	100.0	14,892.00
Life & Health Benefits	2,629.56	2,579.00	-50.56	-1.96	5,015.64	5,158.00	142.36	2.76	30,942.00
Workers' Compensation	0.00	1,284.00	1,284.00	100.0	0.00	2,569.00	2,569.00	100.0	15,409.00
Annual Audit	0.00	417.00	417.00	100.0	0.00	834.00	834.00	100.0	5,000.00
Landfill Tipping Fees	6,338.71	15,417.00	9,078.29	58.88	27,768.73	30,834.00	3,065.27	9.94	185,000.00
Recycling Contract Miami Shores	0.00	2,917.00	2,917.00	100.0	8,750.00	5,834.00	-2,916.00	-49.98	35,000.00
Communications - Radios	0.00	100.00	100.00	100.0	0.00	200.00	200.00	100.0	1,200.00
Insurance - Vehicles	0.00	709.00	709.00	100.0	0.00	1,418.00	1,418.00	100.0	8,500.00
Insurance - Vehicles	0.00	416.00	416.00	100.0	0.00	832.00	832.00	100.0	5,000.00
R & M - Vehicles	833.99	1,317.00	483.01	36.68	1,353.99	2,634.00	1,280.01	48.60	15,800.00
Advertising - Legal	0.00	6.00	6.00	100.0	0.00	12.00	12.00	100.0	75.00
Office Supplies	0.00	20.00	20.00	100.0	0.00	40.00	40.00	100.0	250.00
Operating Supplies	0.00	209.00	209.00	100.0	0.00	418.00	418.00	100.0	2,500.00
Uniforms & Clothing	146.01	175.00	28.99	16.57	434.63	350.00	-84.63	-24.18	2,100.00
Gas & Oil	-440.11	1,000.00	1,440.11	144.0	0.00	2,000.00	2,000.00	100.0	12,000.00
Depreciation - Equipment	0.00	1,050.00	1,050.00	100.0	0.00	2,100.00	2,100.00	100.0	12,600.00
Contingency	0.00	1,787.00	1,787.00	100.0	0.00	3,574.00	3,574.00	100.0	21,447.00
Principal	13,179.59	2,252.00	-10,927.59	-485.2	13,179.59	4,504.00	-8,675.59	-192.6	27,020.00
Interest	765.55	73.00	-692.55	-948.7	765.55	146.00	-619.55	-424.3	871.00
Admin Fee - General Fund	0.00	4,817.00	4,817.00	100.0	0.00	9,634.00	9,634.00	100.0	57,794.00
Admin Fee - P.W. Direct Charges	0.00	1,217.00	1,217.00	100.0	0.00	2,434.00	2,434.00	100.0	14,600.00
Admin Fee - P.W. Direct Overhead	0.00	8,195.00	8,195.00	100.0	0.00	16,390.00	16,390.00	100.0	98,340.00
TOTAL EXPENSES SANITATION	34,912.64	59,342.00	24,429.36	41.17	79,914.44	118,686.00	38,771.56	32.67	712,079.00
TOTAL EXPENDITURES/EXPENSE	34,912.64	59,342.00	24,429.36	41.17	79,914.44	118,686.00	38,771.56	32.67	712,079.00
NET INCOME	18,119.68	-59,342.00	77,461.68	130.5	-26,882.12	-118,686.00	91,803.88	77.35	-712,079.00

Village of Biscayne Park
Fund 801 - Pooled Cash Fund - (fund801)
November 2010

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ASSETS

Cash-General Operating Account	396,857.99
Cash-Payroll Account	-45,022.44

PROPERTY

TOTAL ASSETS	351,835.55
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FUND BALANCES

Equity of General Fund	1,265,583.86
Equity of Road Fund	-10,370.86
Equity of CITT Fund	-205,635.90
Equity of Capital Projects Fund	-401,459.43
Equity of Sanitation Fund	-296,282.12
TOTAL LIABILITIES & FUND BALANCES	-351,835.55

Village of Biscayne Park
Fund 900 - Gen Fixed Assets - (fund900)
November 2010

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ASSETS

PROPERTY

Land	157,489.50
Buildings	273,504.00
Accum Depre-Buildings	208,605.00
Infrastructure	722,948.41
Accum Depre-Infrastructure	174,810.00
Equipment and Furniture	1,478,345.00
Accum Depre-Equipment	1,248,092.10
Construction-In-Progress	59,815.00

TOTAL ASSETS	<u>1,060,594.81</u>
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FUND BALANCES

Investment in Gen Fixed Assets	<u>1,060,594.81</u>
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TOTAL LIABILITIES & FUND BALANCES	<u>-1,060,594.81</u>
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Village of Biscayne Park
Fund 950 - Gen Long Term Debt - (fund950)
November 2010

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ASSETS

PROPERTY

Amount to be Provided	217,349.67
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TOTAL ASSETS	<u>217,349.67</u>
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LIABILITIES & FUND BALANCES

Compensated Absences	69,421.15
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Capital Lease - Long Term	<u>147,928.52</u>
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TOTAL LIABILITIES	<u>217,349.67</u>
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TOTAL LIABILITIES & FUND BALANCES	<u>-217,349.67</u>
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